

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
FIRST APPEAL NO.1150 OF 2016

The Special Land Acquisition Officer,
Nandurbar, Dist.Nandurbar & another Appellants

Versus

Hurji Mohan Respondent

WITH
FIRST APPEAL NO.1151 OF 2016

The Special Land Acquisition Officer,
Nandurbar, Dist.Nandurbar & another Appellants

Versus

Jesa Pita Respondent

WITH
FIRST APPEAL NO.1152 OF 2016

The Special Land Acquisition Officer,
Nandurbar, Dist.Nandurbar & another Appellants

Versus

Mohan Dharma (Deceased) Respondent

Mr.B.V.Virdhe, A.G.P. for appellants

CORAM : M.S.SONAK, J.
DATE : 07th February, 2018.

P.C. :

1. Heard Mr. Virdhe, learned AGP for appellants in all these three appeals. Since, the appeals arise out of one and the same notification, it is only appropriate that they are disposed of by common order.

2. In all these appeals, reference Court has enhanced compensation to Rs. 970/- per Are when the Land Acquisition Officer had awarded compensation ranging between Rs. 336/- to Rs. 709/- per Are. It means that enhancement in the present case is within the limits prescribed in Government Resolution dated 3rd November, 2011 as amended from time to time in which, a policy decision has been taken not to pursue appeal where enhanced amount is less than four times the Ready Reckoner rate as prevalent on the date of issuance of section 4 notification. Learned AGP further submits that in the absence of specific written instructions to withdraw the appeals, he will not be in a position to withdraw the same.

3. Learned AGP submits that there is no evidence on record to sustain enhancement. However, if the impugned awards are perused, it is quite clear that marginal enhancement granted by the reference Court is backed by ample evidence on record. Reference Court has not only considered the evidence on record but also applied correct legal parameters.

4. In these circumstances, these appeals are liable to be dismissed and are hereby dismissed.

5. Pending civil application, if any, does not survive and stands disposed of.

M.S.SONAK
JUDGE

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