

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**3 FIRST APPEAL NO.289 OF 2014
WITH FA/284/2014 WITH FA/285/2014 WITH FA/286/2014 WITH
FA/287/2014 WITH FA/288/2014 WITH FA/290/2014**

**THE STATE OF MAHARASHTRA AND ORS
VERSUS
RAVINDRA BHAGWANTRAO AAGE L.RS. KAMALABAI RAVINDRA AAGE
AND ORS**

...
AGP for Appellants : Mr. S.N. Morampalle
Advocate for Respondent no.1 (i) : Mr. S.D. Jayabhar h/f. D.R. Jayabhar
Advocate for Respondent no.2 : Mr. T.B. Bhosale
...

CORAM : MANGESH S. PATIL, J.

DATE : 11.12.2019

PER COURT :

The learned A.G.P. and the learned advocates for the original claimants are unanimous that in several other appeals from the same notification and award the references have been remanded to the reference court. They point out the orders passed in the First Appeal No.189/2012 dated 23.07.2012, First Appeal No.14737/2010, dated 23.10.2015, First Appeal No.2680/2018 and connected matters, dated 26.09.2018 and First Appeal No.531/2006 dated 12.12.2018. They submit that since the acquiring body was not a party to the references before the reference court the First Appeals were remanded and the same course needs to be followed even in all these appeals.

2. In view of such joint statement and in view of the earlier orders

passed by this Court, the appeals are partly allowed. The impugned judgments and awards passed by the reference court are quashed and set aside. The references are remanded to the reference court for decision afresh by adding the acquiring body as a party and extending both the sides opportunity to lead additional evidence. The parties to appear before the reference court on 06.01.2020. The acquiring body shall file written statement within 2 months thereafter and the reference court shall decide the references as early as possible.

(MANGESH S. PATIL, J.)

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