

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.846 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Yogesh Dabake A.G.P. for the appellant

**CORAM : K. K. TATED, J
DATE : APRIL 1,2019**

P.C.:

. Heard.

2 By this First Appeal, appellant is challenging the judgment and award dated 10.3.2014 passed by Reference Court in L.A.R.No.2 of 2006 awarding enhanced compensation in respect of acquired land to the tune of Rs.9,190/-.

3 The learned A.G.P. for the appellant submits that at the time of awarding enhanced compensation, Trial Court failed to consider the sale instance on record. Hence, they have good chance of success in the present First

Appeal.

4 It is to be noted that in the present proceeding, Special Land Acquisition Officer issued notification under section 4 of the Land Acquisition Act, 1894 on 26.11.2003 for acquiring Respondent original claimants land situated at village Pulas, Taluka Kudal, District Sindhudurg. After following due process of law, Special Land Acquisition Officer declared award dated 5.4.2005.

5 Being aggrieved by the award passed by Special Land Acquisition Officer, Respondent original Claimant preferred reference under section 18 of the Land Acquisition Act claiming enhanced compensation. Reference Court considering the evidence on record held that Respondent original Claimant are entitled additional compensation for the land to the tune of Rs.9,190/-. At the time of awarding enhanced compensation, Reference Court has considered sale instance on record as discussed in the paragraph 13 and 14 of the impugned judgment.

6 Considering the submissions made by the learned A.G.P. for the applicant and the fact that meagre amount is enhanced by the Reference Court i.e. sum of Rs.9,190/- for the land, I do not find any substance in the present

First Appeal.

7 Hence, First Appeal stands rejected summarily.

8 The order should not be treated as a precedent in any connected matter.

(K.K.TATED, J.)