

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

FIRST APPEAL NO. 811 OF 1994

The State of MaharashtraAppellant
V/s.
Lahau Kalya Patil (since decd. Through
legal heirs) :
Ganga Lahau Patil and ors.Respondents

**WITH
FIRST APPEAL NO. 813 OF 1994**

The State of MaharashtraAppellant
V/s.
Dashrath Naga Patil (since decd. through
legal heirs) :
Savitri Dashrath Patil and ors.Respondents

Ms. Anamika Malhotra – AGP for the Appellant / State.
None for the respondents.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 22nd AUGUST, 2019.**

P.C.:-

. The Appellant – State has challenged the judgment and award dated 07/08/1993 passed by the Joint District Judge, Thane in Land Reference Nos.10/1988 and 11/1988.

2. The land of the respondents situated at village Dive, Taluka and Dist. Thane were acquired for the purpose of satellite city of New Bombay. Notification under Section 4 of the Act was published on 04/02/1970. Further notification under Section 6 of the said Act was

published on 07/12/1972. The Land Acquisition Officer awarded compensation @ Rs.2/- per sq. mtr. Being dissatisfied with the quantum of compensation, the respondents had filed reference under Section 18 of Land Acquisition Act. The Reference Court, upon considering the evidence on record, has enhanced the compensation to Rs.10/- per sq. mtr. Being aggrieved by the impugned judgment and award, the State has filed this appeal.

3. It is to be noted that by decision dated 24/09/2009 in First Appeal No.277/1995 and other connected appeals, this Court has fixed the market value of land at village Dive, which was notified on the same day for the same purpose, at the rate of Rs.10/- per sq. mtr. In the light of the said decision, the connected Appeal No.812/1994 has also been dismissed. These two appeals are totally covered by these two judgments passed by this Hon'ble Court in First Appeal No.277/1995 and 812/1994 and other connected appeals.

4. In the light of said decision, no case is made out for interfering with the impugned judgment. Hence, the appeals are dismissed with no orders as to costs.

Preeti H.
Jayani

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(SMT. ANUJA PRABHUDESSAI, J.)