

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.O. NO. 309/2019 AND MCA ST. NO. 1586/2019 IN FIRST APPEAL NO. 476/2013
(M.I.D.C., AMRAVATI VERSUS JAMIRKHA HAMIDKHA & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sharad Thakare, counsel for applicant.
Mrs. H.N. Prabhu, A.G.P. For the NA-7 & 8.

CORAM : A.S. CHANDURKAR, J.

DATE : FEBRUARY 08, 2019.

Notice on the applications is made returnable forthwith.

Learned Assistant Government Pleader Ms H.N. Prabhu
waives notice on behalf of non-applicant nos.7 and 8.

In view of the order proposed to be passed, service on
non-applicant nos.1 to 6 on both the applications is dispensed with.

Considering contents of both the applications, the same
are allowed. The delay in seeking restoration of first appeal is
condoned. The first appeal is restored to file.

Civil Application and Miscellaneous Civil Application
are allowed and disposed of.

F.A. NO. 476/2013.

By consent of learned counsel for appellant and
the learned Assistant Government Pleader, the appeal is taken
up for hearing in view of the fact that the adjudication in First
Appeal No.486 of 2011 covers the point raised in the present
appeal.

In proceedings initiated for acquisition of land admeasuring 7 Hectare 61 R from village Sawardi, the Reference Court in proceedings under Section 34 of the Maharashtra Industrial Development Act, 1961 has granted compensation at the rate of Rs.1,00,000/- per Hectare for land admeasuring 7 Hectare 21 R and at the rate of Rs.50,000/- per Hectare for 40 R of land. These rates have been affirmed by this Court in First Appeal No.486 of 2011. In that view of the matter and considering the reasons in First Appeal No.486 of 2011, the judgment of the Reference Court stands confirmed. First Appeal is thus dismissed with no order as to costs.

C.A.O. NO. 310/2019.

The applicant is permitted to deposit the amount of compensation with accrued interest in this Court within ten days. On such deposit, the claimants are at liberty to withdraw the amount of compensation as deposited.

Civil application stands disposed of.

JUDGE

APTE