

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

First Appeal No.977/2019
Ramrao Bhalerao Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. R.J.Shinde, Advocate for appellant
Mrs.M.S. Naik, AGP for respondent

CORAM : MANISH PITALE, J.

DATED : SEPTEMBER 25, 2019

When this appeal was called out for hearing, the learned counsel for the appellants (original claimants), while seeking grant of enhanced compensation placed reliance on Judgment and order dated 18/09/2019, passed by this Court in First Appeal No.723/2019 (Bhimbrao Deorao Bhalerao (Dead) Through LRs Vs. The State of Maharashtra). It was pointed out that the said appeal also arose out of the acquisition proceedings that were initiated on the basis of same Notification issued under Section 4 of the Land Acquisition Act, 1894 and that this Court allowed the appeal, granting compensation @Rs.65,000/- per hectare for the land of the claimants therein.

2. The learned AGP does not dispute the fact that the land of the appellants in this case was also acquired in pursuance of same Notification, concerning

the same village and also for the same project. Therefore, it is clear that the present case is covered by the aforesaid Judgment and order passed by this Court.

3. Accordingly, appeal is allowed and the respondents are directed to pay compensation @Rs.65,000/- per hectare to the appellants along with all statutory benefits.

4. It is made clear that the appellants shall not be entitled to interest for the period of delay in approaching this Court as was made clear by order dated 25/02/2019, passed by this Court while condoning delay in the present case.

5. The respondent shall deposit the compensation amount within a period of six months from today in this Court, which the appellants shall be entitled to withdraw immediately.

JUDGE