

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

FIRST APPEAL NO.519 OF 2015

Executive Engineer, Bembla Project Divn. Yavatmal

-vs-

Prabhakar s/o Pundlik Mohod and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri M. A. Kadu, Advocate for appellant.

Ms M. S. Naik, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.

DATE : February 04, 2019

Perused pursis dated 04/02/2019.

The statement made that the amount of compensation is deposited with the Reference Court is accepted.

2. It is submitted by Shri M. A. Kadu, learned counsel for the appellant that in view of adjudication in First Appeal St. No.189/2018 (*V.I.D.C. Thr. Executive Engineer, Yavatmal vs. Vasant Nanaji Patre and ors.*) dated 19/12/2018, this appeal deserves to be partly allowed by reducing the amount of compensation for the plot of land at Rs.750 per sq. mt. and by maintaining the compensation granted for the construction portion.

2. In view of aforesaid adjudication for the reasons stated therein the following order is passed :

The judgment of the Reference Court in L.A.C. No.232/2005 dated 24/11/2011 is partly modified. It is held that the claimants are entitled for compensation at the rate of Rs.750/- per sq. mt. for land admeasuring 126.48 sq. mts. from Gat No.34. The amount granted for the constructed portion shall remain the same. Rest of the award stands confirmed.

The First Appeal is partly allowed and disposed of.
No order as to costs.

JUDGE