

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

FIRST APPEAL NO. 955/2013

(VIDC, YAVATMAL **VERSUS** PRAMOD PRALHADRAO WANKHADE & OTHERS)

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

Court's or Judge's orders

Shri A.B. Patil, counsel for appellant.
 Shri A.B. Nakshane, counsel for R-1.
 Mrs. H.N. Prabhu, A.G.P. for R-2 & 3.

CORAM : A.S. CHANDURKAR, J.

DATE : MARCH 05, 2019.

In view of Pursis Stamp No. 3072 of 2019 dated 27.02.2019, the appeal is taken up for hearing with consent of counsel for the parties.

The Acquiring Body has filed the present appeal challenging the judgment of the Reference Court in L.A.C. No.788 of 2006. Plot No.215 admeasuring about 528.20 square meters was the subject matter of acquisition. The said plot is situated at village Kolhi and was acquired for Bembla Project. It is not in dispute that in First Appeal No.353 of 2015 decided on 14.02.2019, this Court has held that the compensation for the open plot of land would be Rs.650/- per square meter and has maintained the compensation as enhanced for the constructed portion.

Considering the fact that the present proceedings arise from the same notification and pertain to the same village, for reasons assigned in the judgment dated 14.02.2019 in First Appeal No.353 of 2015, the following order is passed:-

- I. The judgment in L.A.C. No.788 of 2006 is partly modified. The claimant is held entitled for compensation at the rate of Rs.650/- per square meter for the open plot of land.

- II. The compensation granted for the constructed portion stands maintained.
- III. Rest of the award is confirmed.
- IV. The claimant is at liberty to withdraw the amount of compensation in terms of this adjudication.

The First Appeal is disposed of in aforesaid terms. No costs.

JUDGE

APTE