

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

First Appeal No. 967/2015

Executive Engineer, Bembla Project, Yavatmal

-VERSUS-

Sanjay S/o Sadashiv Palikundwar & 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.
Shri A. B. Nakshane, Advocate for respondent No.1.
Ms. M. Barabde, AGP for respondent Nos. 2 & 3.

CORAM : VINAY JOSHI, J.

DATE : DECEMBER 16, 2019.

Heard.

2. This appeal under Section 54 of the Land Acquisition Act challenging the judgment and award passed in L.A.C. No. 226/2008 decided by the 2nd Joint Civil Judge Senior Division, Yavatmal on 01.12.2012. The reference Court has enhanced the rate of compensation @ Rs. 3400/- per square meter for constructed area and @ Rs. 750/- per square meter for open plot.

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3. Some other claimants have challenged the award relating to same notification and same village in First Appeal No. 421/2018 (The Executive Engineer, Bembla Project Division, Yavatmal Vs. Subhash Dattatraya Wandle & ors.). This Court has granted compensation @ Rs. 4186/- per square meter for constructed area and Rs. 650/- per square meter for open plot.

4. As regard to constructed area is concerned, the same is less than the rate prescribed in another petition therefore, same rate is maintained as its stand. As regard to rate for open plot is concerned, since the issue is covered by above referred decision, the said rate is reduced only to the extent of Rs. 650/- per square meter.

5. In view of above, the appeal is partly allowed in above terms and disposed of. No order as to costs.

JUDGE

Gohane.