

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

CIVIL APPLICATION NO.2196/2019 AND CIVIL APPLICATION
STAMP NO.20471/2018
AND
FIRST APPEAL STAMP NO.20470/2018

Vidarbha Irrigation Development Corporation, Amravati and another
..Vs..
Janardhan Janraoji Burange and others

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

Court's or Judge's orders

Shri J.B.Kasat, Advocate for the appellants.
Shri D.L. Dharmadhikari, Advocate for respondent No.1.
Ms. A.R. Kulkarni, A.G.P. for respondent Nos. 3 to 5.

CORAM : NITIN W. SAMBRE, J.

DATED : 27.9.2019

1] Heard.

2] Apart from unexplained delay of 581 days, enhanced compensation for the trees is based on the appropriate adjudication of oral and documentary evidence. The Reference Court enhanced the compensation for the trees to Rs.2,164/- based on the judgment in L.A.C. No.288/2007 and for land enhancement is granted to Rs.1,40,000/- per hectare.

3] As far as the grant of compensation for the trees at the rate of Rs.2,164/- is concerned, the evidence of the applicant as regards the market value of per quintal of oranges, the age of the trees 15 years, after

adjusting the expenditure, appropriate calculation of compensation of Rs.2,164/- per orange tree is drawn which appears to be reasonable.

4] Apart from above, in L.A.C. No.288/2007 the enhancement granted at the rate of Rs.1,40,000/- for the same village and for very said purpose was not questioned and same is relied upon for grant of compensation.

5] As consequences of above, leave **refused**. The application for condonation of delay is **rejected**. Consequently, the appeal also **dismissed**. No costs.

JUDGE