

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

C.A.F. NO.1985/2019
&
FIRST APPEAL STAMP NO.22332/2018
Vidarbha Irrigation Development Corporation
..Vs..
Godruji S/o Mangluji Thool 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 S.K. Bhoyar, Advocate for the appellant.
Shri C.R. Najbile, Advocate for respondent No.1.
Ms. Shamsi Haider, A.G.P. for respondent Nos.2 and 3.

CORAM : NITIN W. SAMBRE, J.
DATED : 25.9.2019

1] Heard.

2] In view of no objection by Shri Najbile, learned Counsel for non-applicant No.1, delay stands condoned. Civil application is **allowed**. No costs.

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3] The submissions of learned Counsel are, exorbitant compensation is awarded. He has sought to object the observations made in para Nos.18 and 19 of the impugned judgment so as to claim that same are without any basis.

4] The learned Counsel Shri Najbile supports the judgment impugned in the case in hand in which Section 4 notification was issued on December 19, 2009. Based on the same, the Sale deed Exh.512/1-k, 511/3-k, 512/1-g and 511/3-kh of the land situated at Allipur with an irrigation facilities was relied on. This Court in in First Appeal Stamp No.22511/2018 arising out same khasara number has already confirmed the finding of award of enhanced compensation of Rs.5,62,500/-. In that view of the matter, no case for interference is made out. The appeal fails. It stands **dismissed** accordingly. No costs.

5] Let the entire amount be relegated to Reference Court so that the claimant will be entitled to apply for withdrawal.

JUDGE