

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

FIRST APPEAL NO. 966 OF 2019

Phulsingh Nanu Jadhao

VS.

The State of Maharashtra through its Collector Yavatmal

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

Court's or Judge's

Shri. R. J. Shinde, counsel for appellant.
 Shri. B. M. Lonare, counsel for the respondent.

CORAM : Manish Pitale J

DATED : 24.09.2019

The learned counsel appearing for the appellant (original claimant) has filed pursis stating that the present appeal is covered by judgment and order dated 18.09.2019 passed by this Court in **First Appeal No.723/2019** [*Bhimrao Deorao Bhalerao (Dead) through legal heirs Pramila Bhimrao Bhalerao and others vs. The State of Maharashtra through Collector, Yavatmal*].

2. It is pointed out that in the present appeal also the land of the appellant which was acquired was located in village Sawanga, Tahsil Digra, District Yavatmal. It is further pointed out that in the said relied upon judgment this Court has enhanced the compensation payable to the claimant by Rs.65000/- per hectare for dry crop land.

3. In the present case it is undisputed that the land belonging to the appellant is dry crop land and it was located in the same village therefore, the appellant in the present case is entitled to identical relief. The learned AGP does not dispute the fact that the present appeal is covered by the aforesaid view taken by this Court.

4. Accordingly, the present appeal is partly allowed and the respondent is accordingly directed to pay enhanced compensation to the appellant @Rs.65000/- per hectare for acquired dry crop land, along with statutory benefits.

5. The respondent shall deposit the enhanced amount of compensation in this Court within a period of six months from today and upon such deposit of amount, the appellant shall be entitled to withdraw the amount. It is further made clear that the appellant shall not be entitled to interest for the period of delay in approaching this Court as specifically recorded in order dated 04.03.2019 by this Court.

6. Appeal stands disposed of. No order as to costs.

JUDGE