

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

CIVIL APPLICATION (CAF) NO.3917 OF 2018
IN
FIRST APPEAL NO.669 OF 2010 (D)

Maharashtra Industrial Development Corporation, Thr. its Chief Executive Officer, Amravati

-vs-

Leelalabai Ratanlal Singhvi and 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. M. Agnihotri, Advocate for appellant.
Ms Shilpa Tapdia, Advocate with Shri A. H. Lohiya,
Advocate for respondent No.1/applicant.
Shri A. M. Balpande, Assistant Government Pleader for
respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : June 14, 2019

The applicant has moved the present application for recalling the order dated 22/04/2018 passed by the Lok-Adalat wherein amount of compensation as awarded by the Reference Court at the rate of Rs.1,00,000/- per hectare was accepted by the claimants. In the application it is stated that the signature of the present applicant was not obtained on the compromise pursis and without the consent of the applicant the matter came to be disposed of.

On behalf of the appellant it is submitted that the acquired lands are from village Sawardi and in various other appeals this Court has determined the amount of compensation for lands from the said village as Rs.1,00,000/- per hectare. It is therefore submitted

that even if the appeal is restored to file the same is liable to be dismissed in view of the fact that the Reference Court has awarded compensation at the rate of Rs.1,00,000/- per hectare.

Even if the assertions made in the application are accepted, as there are no cross-objections filed by the claimants seeking further enhancement in the amount of compensation, no useful purpose would be served by recalling the order dated 22/04/2014 and restoring the appeal. The amount of compensation as awarded by the Reference Court would not be enhanced by restoring the appeal. The amount of compensation awarded to the claimants by the Reference court is not being reduced. In that view of the matter even if the appeal is restored, the same is liable to be dismissed for the aforesaid reasons.

With these observations the Civil Application stands disposed of.

JUDGE