

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 CIVIL APPLICATION NO.8053 OF 2020
IN
FIRST APPEAL ST. NO. 13674 OF 2020
THE EXECUTIVE ENGG. MINOR IRRIGATION DIV. NO.1 THR.
KISHOR SHIKHARE, ASSTT ENGG. AURANGABAD
VERSUS
NAGORAO YASHWANTA SURASE
WITH
C.A. NO. 8055 OF 2020 IN FAST NO.13668 OF 2020
AND
C.A. NO. 8057 OF 2020 IN FAST NO.13690 OF 2020

Mr.S.C. Arora, Advocate for the applicants.

CORAM : V.L.ACHLIYA,J.
DATED : 08.12.2020

P.C. :-

01. The applicant has moved these applications seeking stay to the execution of award for the reasons set out in detail in the applications.

02. In brief, it is contentions of the learned counsel for the applicant that the compensation awarded is excessive and not supported by evidence. It is submitted that the SLAO has awarded compensation at the rate of Rs.1080/- per R which has been enhanced to Rs.6188/- per R without any supporting evidence. It is further submitted that the interest has been awarded from the date of Section 4 Notification, which is contrary to

Section 34 of the Land Acquisition Act.

03. On due consideration of the submissions,
following order is passed :-

- i. Applications are allowed.
- ii. There shall be stay in terms of prayer clause (B) subject to deposit of amount within 12 weeks. Failure to deposit the amount within stipulated period, the stay granted shall be vacated unless time is extended before due date.

04. The applications are disposed of in above terms.

[V.L.ACHLIYA,J.]