

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 CIVIL APPLICATION NO.7495 OF 2020
IN FAST/16868/2020

THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION PROJECT
SINCHAN BHAVAN ANANDNAGAR, OSMANABAD
VERSUS
GOVARDHAN GOVIND BONDAR (DIED) THR LRS BHALCHANDRA AND
ORS

Mr.Ram B. Deshpande, Advocate for the applicant.
Mr.P.M. Kulkarni, AGP for respondent/State.

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

P.C. :-

01. The applicant has made this application seeking stay to the execution of award, for the reasons set out in detail in the application.

02. In brief, it is the case of the applicant that enhancement of compensation is excessive and not supported by evidence. There is no evidence to show that the land in question is seasonally irrigated. Reliance has been placed on sole instance having no similarity with the land acquired. The sole instance relied pertains to land located near state high-way having commercial potential and quality of land is also superior.

03. On due consideration of the submissions advanced and the challenge raised in the appeal, following order is passed :-

- i. Application is 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 application is disposed of in above terms.

[V.L.ACHLIYA,J.]