

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
INTERIM APPLICATION NO.1 OF 2020  
AND  
LAND ACQUISITION REFERENCE NO.1 OF 2013**

Madhu Finance and Estate Pvt. Ltd. ..Applicant/(org.Respondent  
No.1/Claimant)

In the matter between

The Deputy Collector (Land Acquisition) No.4 ..Petitioner

V/s.

1.M/s.Madhu Fantasy Land Pvt. Ltd. ..Claimant/Respondent No.1

2.The Maharashtra Housing Board ..Acquiring

Body/Respondent

No.2

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Ms.Priyal Chheda for Claimant.

Ms.Jyoti Chavan, AGP for S.L.A.O.

Mr.PG. Lad for Acquiring Body.

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**CORAM : G.S. KULKARNI, J.**

**DATE : 28<sup>th</sup> FEBRUARY, 2020**

**P.C.:**

Interim application No.1 of 2020 is not on board. It is taken on board.

2. By this application, the claimant has prayed that a witness summons be issued to Superintendent or concerned Clerk of the Record Department to produce papers and proceedings in Miscellaneous Petition No.91 of 1966 and the orders passed thereon.

3. Having heard learned Counsel for the parties, it is in the interest of justice that the application is allowed. It is accordingly allowed in terms of prayer clause (a).

4. The petitioner shall inform the concerned Superintendent or representative of the said department of the date on which the record would be required to be produced.

5. Interim application is disposed of in the above terms.

6. After having heard learned Counsel for the parties for sometime, it appears that a short issue is involved in the present reference, more particularly as informed to the Court that under the award, compensation has been awarded by the SLAO is at the rate of Rs.2/- per sq. mtr. which according to the claimant is unconsiderable. It is informed that there is already a reference decided by this Court in regard to the adjoining land under which compensation at an amount of Rs.75/- per sq. mtr. was granted. The prayer of the claimant is that similar compensation be awarded. The parties thus can be heard only on this issue and the reference can be disposed of after the documents are produced by the witness before the Commissioner appointed for recording evidence and the report of the Commissioner is available.

7. To enable the parties to take further appropriate steps, stand over to 13 March 2020.

[G.S. KULKARNI, J.]