

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

CROSS OBJECTOR NO. 31 OF 2018
IN
FIRST APPEAL NO. 433 OF 2014

(Vidharbha Irrigation Development Corporation, Nagpur, through its Executive Engineer, Wardha Vs. Ramchandra S/o Zapaji Kolhe and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri V.G.Wankhede, counsel for the appellant.
Shri Tushar Darda, counsel for the respondent no.1
cross-objector no. 1.
Mrs. Ritu Kalia, learned AGP for respondent nos. 2 &
3.

CORAM : ANIL S KILOR, J.
DATE : 05th FEBRUARY, 2020.

Heard Shri Tushar Darda, learned counsel
for the respondent no. 1/cross-objector, Shri
V.G.Wankhede, learned counsel for the appellant and
Mrs. Ritu Kalia, learned Assistant Government
Pleader for the respondent nos. 2 & 3.

2. Shri Darda, learned counsel for the cross-
objector has pointed out that the present appeal was
withdrawn by the appellant before the Lok Adalat on
22nd April, 2018.

3. Shri Darda, learned counsel for the cross-
objector has pointed out that in reference to LAC
No.241/2006 relating to the land field survey no.26

situated at Mouza Nababpur, Tq. Arvi, Dist. Wardha in a land acquisition case no.67/LAQ-47/1997-98, the learned Joint Civil Judge, Senior Division, Wardha was pleased to grant Rs.1,68,000/- per hector to dry crop land as per its judgment and award dated 02.05.2014.

4. He further points out that the appeal was preferred against the said judgment and award dated 2nd May, 2014 before this Court and the said first appeal came to be withdrawn before the Lok Adalat, Thus, he prays for grant of Rs.1,68,000/- per hector to him as the land acquired of the objector is also dry crop land and from the same land acquisition proceeding.

5. Shri Wankhede, learned counsel for the appellant is not disputing the said fact and fairly admits that the judgment and award whereby Rs.1,68,000/- per hector was granted by the reference Court, the first appeal filed challenging the same came to be withdrawn.

6. In the said backdrop, the cross-objection is allowed.

7. The judgment and award in a land acquisition case No.56/2005 is modified and the appellant is directed to pay the respondent Rs.1,68,000/- per hector alongwith statutory benefits.

8. The respondent/cross-objector shall pay additional stamp duty as per the rules.
9. Cross-objection is disposed of.

JUDGE

sknair