

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 785 OF 2003

THE STATE OF MAHARASHTRA
VERSUS
SWARUPCHAND SHIVJIRAM JAIN

AND
FA/786/2003
AND
FA/840/2003
AND
FA/842/2003

...
AGP for Appellant : Mr. S.S. Dande
Advocate for Respondents-claimants : Mr. Ajeet B. Kale

...
CORAM : ANIL S. KILOR, J.

DATE : 5th MAY, 2021

ORAL ORDER :-

1. At the outset, Mr. A. B. Kale, learned counsel for the respondents-claimants submits that the issue involved in these Appeals stands settled by the decision of the Division Bench of this Court in the case of *Special Land Acquisition Officer (III), Jalgaon and another Versus Bhagwat Vithal Sonwane*¹, where in respect of acquisition for the very same Waghur Project, the Division Bench has approved the very rates now granted by the Reference court in the impugned Judgment and award. Therefore, he submits that by adopting the reasoning in the case of *Bhagwat Vithal Sonwane* (supra), these Appeals are also liable to be dismissed. The learned AGP is not disputing the said fact.

2. In view of aforesaid submission, since this Court has already passed the Judgment and order in the connected matters long back and it was not challenged in the Apex Court, it would not be appropriate to take different view, which was taken by the same Judgment, and accordingly, I adopt the same view.

3. Accordingly, the First Appeals are dismissed. No order as to costs.

(ANIL S. KILOR)
JUDGE

arp/-