

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO. 631 OF 2006

Ravindra Bhagwanrao Aage
(Died) Through L.Rs.
Kamalbhai Ravindra Aage and Others

..APPELLANTS

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. D.R. Jaybhar, Advocate for appellants
Mr. A.M. Phule, A.G.P. for respondent - State

....

**CORAM : R.G. AVACHAT, J.
DATED : 22nd OCTOBER, 2021**

PER COURT :

1. Heard.

2. The challenge in this appeal is to order granting enhancement of compensation. It is informed that the acquiring body was not party before the reference Court. Remanding of matter back has, therefore, been urged for.

3. The appeal filed by State and acquiring body against the impugned judgment was allowed and matter remanded back to the reference Court for being decided after giving the acquiring body an opportunity of hearing, since it was not a party before the reference Court. The order of remand is dated

11th December, 2020. The appellants herein could have very well urged for remand of this matter when the said appeal was decided. The appellants shall, therefore, not entitled for the interest for the period from 01st January, 2020 to the date of this order.

4. In view of above, present appeal is allowed. Impugned judgment and award is set-aside. The matter/reference remitted back to the District Court, Beed for deciding afresh. The appellants shall not be entitled for interest for the period from 1st January, 2020 to the date of this order.

(R.G. AVACHAT, J.)

SSD