

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1040 FIRST APPEAL NO.2388 OF 2020

LAXIMAN BAPURAO KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for applicant : Dr. Swapnil D. Tawshikar
AGP for State : Mr. Y.G. Gujrathi
...

CORAM : ANIL S. KILOR, J.
DATE : 08-04-2021

ORDER :

1. This is an Appeal filed by claimant feeling dissatisfied by award dated 29-08-2018 passed by Civil Judge Senior Division, Udgir in LAR no. 228 of 2015, awarding compensation to the tune of Rs. 2200/- per R i.e. at the rate of Rs. 88000/- per Acre for the acquired land.
2. Heard learned counsel for the appellant and learned AGP for the respondent – State.
3. Learned counsel for the appellant has filed purshis dated 17-12-2020 along with the Judgment dated 31-10-2018 passed by the learned Single Judge of this Court in First Appeal No. 1620 of 2018 and other connected First Appeals arising out of the same village, modifying the Award and thereby granting Rs. 3200/- per R towards compensation and holding the claimants entitled for statutory benefits under section 23(1A) and 23(2) of the Land Acquisition Act on the enhanced amount of

compensation and also held entitled for the interest under section 28 and 34 of the Land Acquisition Act from the date of declaration of Award under section 11 of the Land Acquisition Act.

4. I have gone through the said Judgment and upon going through the said Judgment, I do not propose to take a different view. Hence, the following order :

ORDER

(I) Appeal is partly allowed.

(II) The market value of the lands, which are the subject matter of the present Appeal, shall be determined at the rate of Rs.3200/- per R and the amount of compensation be accordingly enhanced.

(III) The appellant is also held entitled for the statutory benefits under section 23(1A) and 23(2) of the Land Acquisition Act on the enhanced amount of compensation.

(IV) The appellant is also held entitled for the interest under section 28 and 34 of the Land Acquisition Act on the enhanced amount of compensation from the date of declaration of the Award under section 11 of the Land Acquisition Act.

(V) Award be drawn accordingly.

[ANIL S. KILOR]
JUDGE

arp/