

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

CROSS-OBJECTION NO. 06 OF 2021

IN

FIRST APPEAL NO. 1115 OF 2010 (D)

(V.I.D.C., Yavatmal Vs. Ramrao s/o Ajabrao Korde (dead) thr. L.R's and ors.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V. Ingole, Advocate for the cross-objector.
Shri A.B. Patil, Advocate for the respondent (ori. appellant).
Ms. Shamsi Haidar, A.G.P. for respondent Nos.6 & 7/State.

CORAM:- PUSHPA V. GANEDIWALA, J.

DATED :- OCTOBER 05, 2021

Heard.

2. Learned Counsel on behalf of both the parties submit that the issue involved in this cross-objection is covered by judgment of this Court in First Appeal No. 399/2011 decided on 07/03/2019. In both these appeals, the acquisition of lands of village Barad was for Bembla Project and the acquiring body was Vidarbha Irrigation Development Corporation. The date of issuance of Section 4 Notification under the Land Acquisition Act, 1894 in both the cases is the same. Both the lands are similarly situated.

3. This court in the aforesaid appeal enhanced the compensation at the rate of Rs.2,10,000 per hectare. As the land in question is similarly situated, the claimants are also entitled to get enhanced compensation at the rate of Rs.2,10,000 per hectare.

4. In this view of the matter, the appellant is directed to deposit the compensation at the rate of Rs.2,10,000/- (Rs. Two lakhs ten thousand only) per hectare with all statutory benefits and interest within five months. Thereafter claimants are permitted to withdraw the same.

5. Resultantly, the cross-objection of the claimants bearing No.06/2021 is partly allowed for the reasons stated in the judgment dated 07/03/2019 in First Appeal No.399/2011. The cross-objection is accordingly stands disposed of. Parties to bear their own costs.

JUDGE

**DB*