

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

FIRST APPEAL NO. 662 OF 2008

State of Maharashtra,
through the Collector, Akola,
District Akola.

...APPELLANT

Versus

1. Ajaychand s/o Vijaychand Agrawal,
aged about 47 years.
2. Devendra s/o Bajranglal Agarwal,
aged about 35 years.

Both are R/o Akola, Tq. & Dist. Akola.

...RESPONDENTS

Shri M.A. Kadu, A.G.P for the appellant/ State.
S/Shri S.C. Mehadia and A.S. Mehadia, Advocates for the
respondents.

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CORAM : PUSHPA V. GANEDIWALA, J.
DATED : JULY 30, 2021.

JUDGMENT :

In this appeal, the State challenges the judgment and order dated 20/07/2002 passed by the Joint District Judge, Akola in L.A.C. No. 79/1993, whereby the Reference Court fixed the market value of the land bearing Gat No. 174, situated at Village, Saundala, Tq. Telhara, Dist. Akola, out of which an area of 89 R was acquired by the Government for

Wan project, at Rs.25,000/- per acre.

2. The learned counsel for the parties jointly submit that the matter is covered by the decision of this Court delivered in the case of **Islam Ali S/o Khwaja Ali Vs. The State of Maharashtra (First Appeal No.95/1995** decided on **30/07/2021** and another connected matter), whereby this Court had dismissed both the appeals and confirmed the valuation of the acquired land @ Rs.25,000/- per acre as fixed by the Reference Court. A perusal of the impugned judgment would reflect that the Reference Court in the impugned judgment fixed the market value for the subject land by relying on the judgment of the Reference Court in the case of **Islam Ali s/o Khwaja Ali** (*supra*).

3. Given the aforesaid submission, as this Court has already dismissed the aforesaid appeals, which decision has attained finality, the instant First Appeal also stands dismissed in the light of the aforesaid decision. No costs.

JUDGE

Sumit