

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

FIRST APPEAL NO. 282 OF 2009

(Vidarbha Irrigation Development Corporation, Yavatmal Vs. Arun s/o Gopalrao Ajmire & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri A.B. Patil, Advocate for the appellant.
Shri A.B. Nakshane, Advocate for respondent Nos.1
to 3.
Ms. H.N. Jaipurkar, A.G.P. for respondent Nos.4 and
5.

.....

CORAM : PUSHPA V. GANEDIWALA, J.
AUGUST 24, 2021.

Heard.

2] The appellant – VI.D.C. has challenged the judgment and award dated 10/07/2007 passed by the Ad-hoc District Judge-2, Yavatmal in L.A.C. No. 61/2004, whereby the Reference Court partly allowed the reference, thereby enhanced the compensation @ Rs.20/- per square feet for open plot admeasuring 204.6 square meters and @ Rs.250/- per square feet for the built up area admeasuring 176.08 square meters to the claimants.

3] Shri Patil, learned counsel for the appellant, pointed out the judgment delivered by this Court in the case of **Arun Gopalrao Ajmire & Ors. Vs.**

The State of Maharashtra & Ors. [First Appeal No.1027/2007 d/on 29/08/2019], which was filed by the claimants for enhancement of compensation challenging the same judgment which is under challenge in the instant Appeal, wherein this Court has enhanced the compensation @ Rs.500/- per square meter for open plot admeasuring about 204.6 square meters along with interest and other statutory benefits as against the amount of compensation @ Rs.20/- per square feet, which was granted by the Reference Court.

4] Given the aforesaid facts and circumstances of the case, as the issue involved in this Appeal has already been adjudicated by this Court in the aforesaid First Appeal, i.e., First Appeal No.1027/2007, the instant Appeal filed by the V.I.D.C. needs to be dismissed and the same is accordingly dismissed. No costs.

JUDGE

Sumit