

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

FIRST APPEAL NO.1166/2012

Maharashtra Industrial Development Corporation Vs. Jagdish Gulabchand Mantri and Ors.

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

Court's or Judge's orders

Mr. M. M. Agnihotri, Advocate for Appellant.
Ms Shamshi Haider, A.G.P. for Respondent No.2.
Mr. S. A. Mohta, Advocate for Respondent Nos.1.

CORAM : M. S. SONAK, J.

DATE : 09/12/2021.

1. Heard Mr. M. M. Agnihotri, learned Counsel for the appellant, Mr. S. A. Mohta, learned Counsel for respondent No.1 and Ms. Shamshi Haider, learned Assistant Government Pleader for respondent No.2.

2. In this appeal, the acquiring Authority (M.I.D.C.) challenges the impugned award by which the compensation in respect of the acquired land was enhanced to Rs.1,60,000/- per hectare.

3. The learned Counsel for the parties have placed on record judgment and order dated 28.02.2020 in a batch of appeals including First Appeal No.38/2010, in which this Court, in respect of comparable land acquires under the same notification has approved enhancement upto Rs.3,00,000/- per hectare. Further, it is pointed out that the claimants in the said appeals have applied for review claiming that enhancement of Rs.3,00,000/- is also less and enhance rate should have been much higher.

4. Having regard to the aforesaid circumstances, it is obvious that this appeal will have to be dismissed and the same is hereby dismissed.

5. The learned Counsel for the parties pointed out that in similar circumstances, the M.I.D.C. as in fact withdraw appeals before the Lok-Adalata, one such instance, First Appeal No.55/2013 which was withdrawn on 25.09.2021.

6. Accordingly, this appeal is dismissed. There shall be no order for costs.

7. This Courts appreciates the fair approach of the learned Counsel for the parties appearing in this matter.

8. Pending application(s), if any, sand(s) disposed of.

(M. S. SONAK, J.)

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