

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

FIRST APPEAL NO. 408 OF 2009

(The State of Mah. & ors. Vs. Sou. Undaribai w/o Shankarrao Rathod)

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

Court's or Judge's Order

Ms. Shamsi Haidar, A.G.P for the appellants.
Shri A.B. Nakshane, Advocate for the respondent.

CORAM:- PUSHPA V. GANEDIWALA, J.
DATED :- OCTOBER 05, 2021

Heard.

2. Learned both the counsel on behalf of both the parties submit that this matter can be disposed of as the issue involved in this matter is already covered by the Judgment of this Court in First Appeal No.74 of 2006 vide judgment dated 03/07/2017.

3. I have perused the record of the present appeal so also the aforesaid judgment.

4. I am satisfied that the period of issuance of Notification under Section 4 of the Land Acquisition Act, 1894 in both the matters are of the year 1996 and the land is situated in the village Kumbharkinhni and the same was acquired for Kumbharkinhni dam project.

5. In the aforesaid judgment, this Court enhanced the compensation for the subject land in that appeal at the rate of Rs.90,000/- per hectare.

6. As both the lands was similarly situated, I do not find merit in this appeal.

7. For the reasons as recorded in First Appeal No.74/2006, the State's appeal is dismissed. No order as to costs.

JUDGE

**DB*