

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

Civil Application (CAF) No.167 of 2020
IN
First Appeal Stamp No.6667 of 2019

Shashikala Vasudeorao Asole Vs. Bhimabai Bhaskarrao Datar & Anr.

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

Court's or Judge's Orders

Shri M.R. Joharapurkar, Advocate for the Appellant.

CORAM : S.M. MODAK, J.
DATE : 8th JANUARY, 2021.

Heard learned Advocate Shri M.R. Joharapurkar for the appellant.

2. The judgment of the Court of 6th Joint Civil Judge, Senior Division, Amravati dated 22nd December, 2018 is challenged by respondent No.2 therein. By the said judgment, the issue about apportionment of the amount of rehabilitation under Section 30 of the Land Acquisition Act, 1894 was decided.

3. This Court, as per the judgment dated 18th April, 2015 observed that adjudication under Section 30 of said Act can be challenged before the Appellate Court who has pecuniary jurisdiction. In this case, the trial Court has adjudicated over the amount of Rs.75,624/-. The judgment was delivered by 6th Joint Civil Judge, Senior Division, Amravati.

4. Considering the pecuniary valuation, the appeal will lie before the District Court, Amravati. The appellant is praying for the transfer of the appeal. Hence the order:-

ORDER

- i. The present appeal be transferred to District Court, Amravati for the further enquiry and decision.
- ii. It may be allotted as per their procedure.
- iii. Office to do the needful.
- iv. The civil application is disposed of.

JUDGE