

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO.548 OF 2004

THE REGIONAL OFFICER MIDC LATUR
VERSUS
MOHAN RAMJI PATIL AND OTHERS

...
Advocate for Appellant : Mr. S.S. Dande
Advocate for Respondent No.1/1 to 1/4: Mr. S.V. Kurundkar
AGP for Respondent No.2 : Mr. A.B. Chate

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CORAM : S.G. DIGE, J.
DATE : 19th August, 2022

ORDER :

. This appeal is directed against the impugned judgment and award passed in L.A.R. No. 31 of 1998. The land of the respondents/claimants came to be acquired for the purpose of development of industrial area at Degloor. The Special Land Acquisition Officer has awarded the rate of Rs.36,500/- per hectare. The respondents - original claimants filed references for enhancement of compensation. The learned Reference Court awarded the compensation at the rate of Rs.3,200/- per Guntha. The

appellant has challenged said judgment and award by present appeal.

2. Heard learned Counsel for appellant, learned A.G.P. for respondent No.2 and learned Counsel for respondent Nos.1/1 to 1/4.

3. Learned Counsel for appellant submits that, this appeal is covered by the judgment of this Court in First Appeal No.285/2003, First Appeal No.184/2007 and First Appeal No. 546/2004. This judgments have been passed in respect of the connected matters arising out of same acquisition proceedings. Hence, requested to pass the same order.

4. Learned Counsel for respondents submits that, appropriate orders may be passed.

5. Considering the submissions of all learned Counsel as well as this Court (CORAM : N.V. Dabholkar & M.G. Gaikwad, JJ.) and (CORAM : S.D. Kulkarni, J.) in First Appeal No. 184/2007, First Appeal No. 285/2003 and First

Appeal No. 546/2004 have passed the order and given certain directions hence, this Court cannot take different view. In view of the above, I pass the following order :-

ORDER

- (a) The appeal is allowed.
- (b) The award passed by Reference Court is quashed and set aside.
- (c) If excess amount, if already paid to the claimants is liable to be recovered by the appellant.
- (d) Pending Civil Applications are disposed of.

[S.G. DIGE, J.]