

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**REVIEW APPLICATION (CIVIL) NO.161 OF 2022
IN
FIRST APPEAL NO.251 OF 2016**

Prabhakar Venkatrao Ghare (died),
through L.Rs.

1. Bhagirathibai w/o. Prabhakar Ghare,
2. Anand s/o. Prabhakar Ghare,
3. Vivek s/o. Prabhakar Ghare

..Applicants

Vs.

The Executive Engineer,
L.M.I. Division, Jalna
and ors.

..Respondents

Mr.D.M.Kakade, Advocate for applicants
Mr.Ruturaj Patil, Advocate for respondent no.1
Mr.N.T.Bhagat, APP for respondent nos.2 and 3

**CORAM : R.G. AVACHAT, J.
DATE : JULY 21, 2022**

ORDER :-

Heard.

2. In continuation of the order dated 21.01.2022 passed in First Appeal No.251 of 2016, following modification is made.

3. It is brought to the notice of this Court that the land acquired was seasonally irrigated. Relying on the decision in L.A.R.

No.584 of 2010, this Court has allowed First Appeal No.251 of 2016. In the judgment of L.A.R. No.584 of 2010, the rate granted for seasonally irrigated land was Rs.5,625/- per Are. Now, it has been brought to the notice of this Court that the land acquired of the present applicants was seasonally irrigated. Learned counsel for the acquiring body does not dispute the same.

4. In view of the above, the figure "Rs.3,750/-" per Are appearing in clause (i) of the operative order dated 21.01.2022 in First Appeal No.251 of 2016, be replaced by figure "Rs.5,625/-" per Are. Rest of the terms of the order dated 21.01.2022 to stand unaltered.

5. Review Application No. 161 of 2022 stands disposed of accordingly.

[R.G. AVACHAT, J.]

KBP