

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

CIVIL REVISION APPLICATION NO. 76 OF 2022

Shivaji Ragnath Dudhare and others ... Applicants

Versus

Gokul Rangnath Dudhare and another ... Respondents

....

Mr. Rajendra Deshmukh, Senior Advocate a/w Mr. Shriram V. Deshmukh and Mr. Devang R. Deshmukh, Advocates for applicants

....

CORAM : R. G. AVACHAT, J.

DATED : 29th AUGUST, 2022

PER COURT :-

. Heard.

2. The suit is basically for partition and separate possession of the plaintiff's 1/5th share in the agricultural land described in para 2 of the plaint.

3. Close reading of the plaint indicate that the plaintiff/respondent has not claimed any share in the amount of compensation in respect of the land acquired for public purpose. His prayer is for injunction simpliciter, restraining the Land Acquisition Officer from disbursing the amount of compensation.

4. It is reiterated that the plaintiff/respondent has not prayed for the share in the amount of compensation and therefore, the suit has rightly not been valued on the quantum of amount of compensation i.e. little over rupees two Crores. If in the course of hearing or at the time of final adjudication, the plaintiff herein claims share in the amount of compensation he would necessarily be required to pay Court fees on the said amount.

5. With these observations, the Civil Revision Application stands disposed of.

[R. G. AVACHAT, J.]

SMS