

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

947 CIVIL APPLICATION NO.2718 OF 2022
IN REVIEW APPLICATION [STAMP] NO.34234 OF 2021
WITH REVIEW APPLICATION [STAMP] NO.34234 OF 2021

SUREKHA DATTATRAYA CHAVAN
VERSUS
ANUP KISHORILAL RAMUKA & OTHERS

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Advocate for the applicant : Mr.A.B.Dhongade
AGP for Respondent-State : Mr.A.S.Shinde
Advocate for respondent no.1 : Mr.A.B.Kale

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**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 25.02.2022

P.C. :

1] Mr.Dhongade, learned Advocate for the applicant submits that in the order dated 29th June, 2016 passed in Writ Petition No.7518 of 2015, this Court directed to re-consider the various reports / joint measurements and re-determine the aspect of compensation in respect of pomegranate trees. According to the learned counsel for the applicant, communication of the Competent Authority-cum-Deputy Collector, Land Acquisition dated 07.11.2014 was not pointed out and remained to be considered while passing the order under review. It was observed that the said trees were not there at the time of notification under Section 3A issued on 17.10.2011.

2] We have passed the order under review considering the various joint measurement reports as such report dated 24.09.2012, 16.02.2013 and had observed that respondent authority shall re-consider the various reports / joint measurements conducted and re-determine the aspect of compensation in respect of pomegranate trees. We had also observed that the dispute probably appears to be about the age of the trees as having been pointed out at the time of Notification under Section 3A. It is for the authority to consider the age of the trees while computing compensation award. We have nowhere commented about the age of the trees in the order under review.

3] In the light of above, no error apparent on the face of record, review application stands disposed of.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

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