

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

FIRST APPEAL NO. 105 OF 2016

Shripath S/o Punda Banbare
Age : 60 years, Occ : Agriculture,
R/o Itgyal, Tq. Mukhed,
Dist. Parbhani

..APPELLANT

VERSUS

1. The State of Maharashtra
through District Collector,
Nanded.
2. The Executive Engineer,
Vishnupuri Prakalp Division No.1,
Nanded.
3. The Special Land Acquisition
M.I.W. Nanded.

..RESPONDENTS

...

Advocate for Appellant : Mr. G.N. Chincholkar
AGP for respondent nos.1 and 3 : Mr.A.B. Chate
Advocate for respondent no.2 : Mr.B.A. Shinde

...
CORAM : S.G.DIGE, J.

DATE : 19.09.2022

PER COURT :

Heard.

2. The parties are at *ad idem* to have this appeal

dispose of in terms of the judgment and order dated 16th January, 2019 passed by this Court (Coram : P.R. Bora, J) in First Appeal No.3133/2009 and other connected appeals as well as the judgment and order dated 1st September, 2021 passed by this Court (Coram : R.G. Avachat, J) in First Appeal No.4521/2017 and other connected appeals.

3. The appellant is claiming that his land is dry land. The Reference Court has considered the land of the appellant as dry land. In appeal, the appellant has not disputed this fact.

4. In view of the above, the present appeal stands disposed of in terms of the judgment and order dated 16.01.2019 passed in first appeal no.3133/2019 and other connected appeals as well as first appeal no.4521/2017 and other connected appeals, provided that the appellant herein shall not entitle for the interest for the delayed period in preferring this appeal.

5. The appellant is entitle for interest as per the

view taken by this Court in the case of *State of Maharashtra Vs. Kailash Shiva Rangari* reported in *2016(3) Mh.L.J. 457* on the enhanced amount of compensation from the date of award.

6. The appeal is disposed of accordingly.

[S.G.DIGE]
JUDGE

SGA/-