

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 594 OF 1994

The State of Maharashtra Appellant
v/s.
Khandu Bhika Khandve and ors. Respondents

Ms. Tanaya Goswami – AGP for the State.
Ms. Rukmini Khairnar i/b. Mr. Pramod Joshi for the Appellant.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 07th JULY, 2022.

P. C. :-

. The Appellant/State has challenged the judgment and award dated 06/02/1992 passed by the Joint District Judge, Nashik in Review Application No.129 of 1986 against the judgment and award dated 26/11/1982 passed in Land Reference No.88/1981.

2. The land belonging to the Respondent who is the original claimant was acquired by the Government for construction of Minor Irrigation Tank at village Pimpalnare, Taluka Dindori, Dist. Nashik. The Notification under section 4 of the Land Acquisition Act was published on 04/05/1978 and the award was passed on 25/03/1979. The Land Acquisition Officer has awarded compensation of Rs.11,330/-. Not being satisfied with the compensation awarded by the Special Land

Acquisition Officer, the Respondent-claimant filed reference under section 18 of the Land Acquisition Act.

3. Upon considering the evidence adduced by the parties, the Reference Court by the impugned judgment dated 26/11/1982 enhanced compensation of Rs.12,360/- with interest and other statutory benefits. The enhancement is based on the evidence adduced by the parties. Moreover the enhancement is marginal.

4. Considering the above facts and circumstances, I am not inclined to interfere with the impugned judgment. Hence, the Appeal is dismissed.

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(SMT. ANUJA PRABHUDESSAI, J.)