

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

**FIRST APPEAL NO. 645 OF 1997**

The State of Maharashtra ..... Appellant  
v/s.  
Hanmanta Dongar Bhil (since  
deceased through legal heirs) :  
Chindha Hanmanta Bhil and ors. .... Respondents

Ms. Tanaya Goswami, AGP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.**

**DATED : 12<sup>th</sup> SEPTEMBER, 2022.**

**P. C. :-**

. The Appellant – State has challenged the judgment and award dated 12/01/1994 passed by the 2<sup>nd</sup> Additional District Judge, Nashik in Land Reference No.128/1986 .

2. Heard learned AGP for the State. I have perused the records.

3. The State Government has acquired the land admeasuring 2.32 hectares from Gat No.317 for the purpose of construction of percolation tank in village Joran. The notification under section 4 was published in the official gazette on 15/11/1981. The Land Acquisition Officer passed an award under section 11 on 26/03/1982 and offered compensation at the rate of Rs.7,000/- per hectare. Not being satisfied

with the quantum of compensation offered by the Land Acquisition Officer, the Respondent – claimants filed reference under section 18 of the Land Acquisition Act claiming compensation at the rate of Rs.20,000/- per hectare. The Reference Court, after considering the sale instance produced by the claimants, has enhanced the compensation to Rs.12,500/- per hectare and further Rs.1,000/- in respect of Pot Kharaba land. The total compensation payable to the Respondents/claimants including the statutory compensation is Rs.39,534.75/-. The amount payable is very meager. Moreover, the compensation which is enhanced is less than four times the amount offered by the Land Acquisition Officer. Hence, the case is covered by GR dated 03/11/2016.

4. Considering the above facts and circumstances, I am not inclined to entertain this Appeal. Hence, the Appeal is dismissed.

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(SMT. ANUJA PRABHUDESSAI, J.)