

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

First Appeal No.960/2007

The Executive Engineer, Bembla Project Yavatmal V Damodhar thr Lrs and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. A.B. Patil, Adv. for appellant.

Mr. M.M. Agnihotri, Adv. for resp. nos.1 to 3.

Mr. M.A. Kadu, AGP for resp. nos.4 and 5.

CORAM : AVINASH G GHAROTE, J.

DATE : 05-12-2022

Mr. Patil, learned Counsel for the appellant, Mr.
Agnihotri, learned Counsel for respondent nos.1 to 3 and
Mr. Kadu, learned AGP for respondent nos.4 and 5.

2. This Court in ***VIDC Vs Ramrao Ajabarao Korde thr Lrs and others*** decided on 23-11-2022 has recorded, that in various matters the rate for the open plot for village Barad has been fixed at Rs.500/- per sq.mtr. and the rate between Rs.2200/- to Rs.2900/- per sq.mtr for the construction at village Barad. In the instant matter, the learned Reference Court, by the impugned judgment, has awarded a lump sum amount of Rs.90,000/- for the plot and construction also and considering Rs. 500/- per sq. mtr. for the plot area, the rate for construction would only be Rs. 1322/- per sq.mtr which is much below the rate of construction awarded for the houses in village Barad, considering which, I am not inclined to interfere in the impugned judgment passed by the learned Reference Court,

the appeal is therefore dismissed. No costs.

JUDGE

Deshmukh