

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

FIRST APPEAL NO. 499 OF 2022

Roshankhan S/o. Boshirkhan Pathan and anr.

...VERSUS...

The State of Maharashtra, thr. Collector, Camp - Amravati and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri N.S. Bhelkar, Advocate for appellants.
Ms. H.N.Jaipurkar, Asst. G.P.for respondent nos. 1 and 2.
Shri. J.B.Kasat, Advocate for respondent no. 3.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 05th AUGUST, 2022.

The present appeal is filed for grant of enhancement in the amount of compensation.

2. The learned counsel appearing for the appellants pointed out that in Land Acquisition Case (LAC) No. 33/2012, the Reference Court awarded the compensation @ Rs. 2,94,608/- (Rupees Two Lac Ninety Four Thousand Six Hundred Eight only) per hector in respect of acquired land in field Survey/Gut No. 132 of Mouja Ghuikhed, District Amaravati.

3. There is no challenge to the said order of Reference Court in view of the policy that the enhancement was within four times of the amount awarded by the Land Acquisition Officer. The notification on the award is same which was involved in LAC No. 33 of 2012.

4. The learned counsel appearing for the respondents fairly conceded the submissions of learned counsel for the appellants and submitted that the appeal can be allowed by granting the same rate. However, it is pointed out that, at the time of condoning the delay by this Court vide order dated 27/04/2022, it was made clear that the appellants will not claim any interest for the delayed period. The appellants have no objection for non-granting of interest for the delayed period. As such, the appeal is allowed.

5. In view of above, the appeal is allowed.

6. The compensation is fixed to the tune of Rs. 2,94,608/- (Rupees Two Lac Ninety Four Thousand Six Hundred Eight only) per hector as granted above.

7. Consequently, the statutory benefits is also allowed excepting the interest for delayed period.

8. Accordingly, the appeal is disposed of in above terms.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar