

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

931 CIVIL APPLICATION NO. 10797 OF 2022
IN
FIRST APPEAL NO. 1765 OF 2022

The Executive Engineer, Irrigation Division,
Beed. ... Applicant

Versus

Rama Nama Tarkase (died)
through LRs – Ankush Rama Tarkase & Ors. ... Respondents

...

Mr. Sudhir G. Bhalerao – Advocate for applicant
Mr. A. B . Chate – AGP for State

....

AND

932 CIVIL APPLICATION NO. 14427 OF 2022
IN
FIRST APPEAL NO. 2951 OF 2022

The Executive Engineer, Irrigation Division,
Beed ... Applicant

Versus

Pratap Sundarao Deshmukh & Anr. ... Respondents

...

Mr. Sudhir G. Bhalerao – Advocate for applicant
Mr. A. B . Chate – AGP for State

....

AND

933 CIVIL APPLICATION NO. 2065 OF 2022

**IN
FIRST APPEAL [ST] NO. 16931 OF 2021**

The Executive Engineer, Irrigation Division,
Beed.

... Applicant

Versus

Gangadhar Manik Pingle & Anr.

... Respondents

...

Mr. Sudhir G. Bhalerao – Advocate for applicant

Mr. A. B . Chate – AGP for State

....

**AND
934 CIVIL APPLICATION NO. 2063 OF 2022
IN
FIRST APPEAL [ST] NO. 16887 OF 2021**

The Executive Engineer, Irrigation Division,
Beed.

... Applicant

Versus

Bhagwan Bhimaji Surnar & Ors.

... Respondents

...

Mr. Sudhir G. Bhalerao – Advocate for applicant

Mr. A. B . Chate – AGP for State

....

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 21st JUNE, 2023

PER COURT :

1. Heard the learned advocates appearing for the respective parties.

2. Mr. Sudhir G. Bhalerao, learned advocate for the applicant would submit that the Reference Court has enhanced the compensation amount almost 12 times as against the amount determined by the Land Acquisition Officer. He would further submit that though the lands are considered to be Bagayat, the separate compensation is paid for trees by offering excessive multiplier. He would rely upon the judgment of the Supreme Court in the matter of **State of Haryana Vs. Gurucharan Singh** reported in AIR 1996 SC 106 and submit that in no case multiplier can exceed beyond 8 years while determining compensation as regards the trees.

3. Mr. N. P. Bangar appearing on behalf of original claimants would point out that, previously this Court granted interim stay to the award in the matters arising out of same acquisition subject to deposit of entire awarded amount. The copy of the order passed in Civil Application No. 5256 of 2022 in First Appeal No. 708 of 2022 dated 11th July, 2022 is placed on record in support of the said submission.

4. Considering the submissions and the reasons cited in the order passed by Reference Court, interim stay is granted to the award subject to condition that the applicant – acquiring body shall deposit 75% amount under the award along with accrued interest within a period of eight weeks.

5. Civil Applications are accordingly disposed of.

[S. G. CHAPALGAONKAR]
JUDGE

SG Punde