

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO.9507 OF 2023
IN FA/3294/2023 WITH CA/9511/2023 IN FA/3291/2023 WITH
CA/9509/2023 IN FA/3290/2023 WITH CA/9513/2023 IN
FA/3293/2023 WITH CA/9515/2023 IN FA/3292/2023

THE EXECUTIVE ENGINEER, LATUR MINOR IRRIGATION DIVISION
VERSUS
RAM TIMMA PAWAR DIED THROUGH L RS BHIMABAI RAM PAWAR
AND OTHERS

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Advocate for Applicant : Mr. Virdhe Bhushan V.
AGP for Respondents-State : Mr. K. N. Lokhande
Advocate for Respondents No.1 to 3 : Mr. P. R. Katneshwarkar h/f
Mr. S. N. Patil

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CORAM : ARUN R. PEDNEKER, J.
DATE : 04/09/2023

PER COURT :

1. Heard the learned Advocate representing all the respective parties.
2. The First Appeals are filed along with an applications for Stay. The learned Advocate for the applicant submit that Stay be granted on a condition that 60 % amount to be deposited in this Court.
- 3 Per contra, the learned Advocate appearing for respondents submits that there is no enhancement per se and all the evidence of respondents were discarded by the reference Court and that he has preferred independent appeal against the reference court order. The

only thing which the reference Court has held is that the lands acquired are Bagayat lands and the value was granted was of Jirayat lands by the Land Acquisition officer. The reference Court held that all the lands are Bagayat land and accordingly valued the property as Bagayat land and only minor enhancement is made on account of other sale instances.

4. The learned Advocate for the respondents submit that there is a very small enhancement of Rs.2200/- per Acre apart from the classification of lands from Jirayat to Bagayat land.

5. In view of the same, 'Stay' is granted subject to deposit of entire amount as directed by the Reference Court along with interest in this Court within a period of 12 weeks from today.

6. With above observations, all civil Applications filed for 'Stay', are disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.