

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

FIRST APPEAL NO. 261 OF 2021

Bharat Bhupendra Pawar through POA
Shri Bhupendra Ramdhan Pawar

vs.

The State of Maharashtra and others

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

Court's or Judge's Orders.

Shri. Anzar Baig Mirza, Advocate for appellant.
Smt. Trupti Udeshi, AGP for respondent Nos.1 and 2.
Shri. Mangesh Kadu, Advocate for respondent No.3.

CORAM : URMILA JOSHI-PHALKE J.

DATE : 03/04/2023

CIVIL APPLICATION (F) NO. 950 OF 2023

Present application is filed for grant of early hearing. As per the contention of the applicant he has filed above first appeal against the impugned judgment and order dated 22/01/2020 passed by the Civil Judge Senior Division, Mangrulpir in LAC No. 02 of 2019.

2. As per the contention of the learned Advocate for the applicant that it is a second round of litigation, as the appellant has filed First Appeal No. 08 of 2009, before this Court for enhancement of

compensation against the compensation awarded by the reference Court. This Court by order dated 07/02/2019, partly modified the award and so far as the enhancement for the Aadjaat trees is concerned, the matter was remanded to reference Court for fresh adjudication in that regard.

3. In pursuance of the remand, the matter was re-numbered and decided on 22/01/2020, by the Civil Judge, Senior Division, Mangrulpur and very meager amount of compensation was awarded and therefore, present appeal is preferred.

4. The appellant has to challenge both the orders i.e. orders passed in LAC No.167 of 1999 and LAC No.02 of 2019. Unless and until this appeal is not decided, the applicant cannot approach the Hon'ble Apex Court.

5. Considering the reasons mentioned in the application, the appeal be placed before the Court **after summer vacation.**

6. Application is disposed of.

[URMILA JOSHI-PHALKE J.]