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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
FAST NO.5312/2014 WITH
939 CIVIL APPLICATION NO. 4519 OF 2014
IN FAST/5312/2014

THE STATE OF MAHARASHTRA

....Applicant

VERSUS

DAGADU GENU SHINDE AND OTHERS

.....Respondents

Mr. V. M. Chate, AGP for the applicant/State

CORAM : ARUN R. PEDNEKER, J.

DATE : 27th FEBRUARY, 2024

P. C.

1. Heard learned counsel for the parties.
2. Present appeal is filed alongwith an application for condonation of delay of 1160 days.
3. In this matter steps are yet to be taken to bring on record the legal heirs. However, non bringing of legal heirs on record may not effect on the proposed order.

4. In the instant case the lands of the claimants were acquired in the year 1985. 12-R land of the claimants was acquired and compensation granted by the SLAO to the claimants was @ Rs. 780/- for 12-R i.e. 65-per R. Said compensation by reference court is enhanced to Rs.3000/- for 12-R i.e. 250-per R. By Government Notification dated 03-11-2016 and 23-02-2017 the government has come up with the policy that in the event there is enhancement of more than two times by the reference court from the award granted by the SLAO in the urban areas and four times in the rural areas, the State would not file an appeal against the order of the reference court. In the instant case the acquisition is of rural area and enhancement is not more than four times by the reference court. Above said Government Resolution dated 03-11-2016 and 23-02-2017 are also applicable to the pending appeals. In view of the same, since enhancement is not more than four times and compensation granted is also meager the appeal is dismissed relying upon the government resolutions dated 03-11-2016 and

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23-02-2017.

5. In view of dismissal of the appeal, pending civil applications, if any do not survive and stand disposed off.

[ARUN R. PEDNEKER, J.]

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