



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 2145 OF 2018

. Pravin Ram Patil
Age – 36 years, Occu.: Medical Practitioner,
R/o. Venkatesh Eye Institute,
Ambajogai Road, Latur,
Tq. and Dist. Latur.

... Appellant
(Orig. Claimant)

VERSUS

1. The State Of Maharashtra
Through Collector, Latur.

2. The Executive Engineer,
P.W.D. Latur.

... Respondents
(Orig. Respondents)

.....
Mr. Saish S. Manale, Advocate for Appellant
Mr. S.B. Jadhav, AGP for Respondent Nos.1 and 2
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 10th JULY, 2024

ORAL JUDGMENT :

1. Original claimant in L.A.R. No.221 of 2015 has preferred this appeal under sections 54 of the Land Acquisition Act (for short 'the Act') against the judgment and award dated 27.02.2018 for enhancement of compensation.

2. Claimant is the owner and possessor of a plot from block no.47, admeasuring 506 Sq. Mtrs. i.e. 5445 Sq. Ft. situated at Pakharsangvi near Railway fly over, Latur on Latur-Mumbai Highway. His plot was acquired for construction of Pakharsangvi approach road to Harangul (Bk) Railway Station. Notification of acquisition under section 4 of the Act issued on 15.12.2007 and award was passed on 16.11.2010. On 27.02.2018, Reference filed by the claimant was partly allowed and compensation @ Rs.200 per Sq. Ft. towards enhanced compensation was awarded to claimant. By this First Appeal, claimant prays for enhancement of compensation.

3. From the same acquisition and award, claimant from the same village approached this Court for enhancement of compensation by filing First Appeal No.2129 of 2018. This Court allowed the appeal and awarded compensation @ Rs. 877.11 per Sq. Ft. Claimant is similarly situated as his plot is located in the same vicinity as of the plot of claimant in First Appeal No.2129 of 2018. Admittedly, therefore, this first appeal is covered by the decision in First Appeal No.2129 of 2018. Hence, the following order:

ORDER

- (i) First Appeal is allowed.
- (ii) Impugned judgment and award dated 27.02.2018 passed in L.A.R. No.221 of 2015 is modified. Claimant to receive compensation @ Rs. 877.11 per Sq. Ft.
- (iii) Claimants to pay Court fee on enhanced compensation as per rules.
- (iv) Rest of judgment and award to remain unchanged.
- (v) No order as to costs.

**[NITIN B. SURYAWANSHI]
JUDGE**