



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

206 FIRST APPEAL NO. 2656 OF 2011

The Executive Engineer, Minor Irrigation Div. Jalna

VERSUS

Ashok Babasaheb Gaikwad And Ors

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Advocate for Appellant : Mr. Ramrao D. Biradar

AGP for Respondents-State : Mr. B. A. Shinde

Advocate for Respondents No.1 and 2 : Ms. Asha Rakh

...

**WITH
FIRST APPEAL NO. 2664 OF 2011**

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CORAM : ARUN R. PEDNEKER, J.

Dated : September 5, 2024.

PER COURT :-

1. Learned counsel appearing for the appellant fairly pointed out that the enhancement granted by the Reference Court over the amount awarded by the Special Land Acquisition Officer is within four times the original amount and is covered by the Government policy as set out in the Notifications dated 03/11/2016 and 23/02/2017.

2. He submits that, in view of the State's policy decision not to challenge Land Acquisition Reference awards in appeal where the enhancement is less than four times, the above Government Notification should also apply to pending appeals.

3. In view of this, nothing survives in the appeals. Therefore, the

appeals are dismissed.

4. The amount deposited in this Court should be transmitted to the Reference Court/executing Court for disbursement to the claimants, and any balance amount to be deposited by the State within a period of eight weeks before the Reference Court . The claimants are entitled to withdraw the same in accordance with the Reference Court award.

(ARUN R. PEDNEKER, J.)

vj gawade/-.