



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

CIVIL APPLICATION NO. 17022 OF 2022 IN FAST/25275/2022

THE EXECUTIVE ENGINEER IRRIGATION PROJECT STRENGTHENING  
DIVISION OMERGA TQ OMERGA AND OTHERS  
VERSUS  
NANASAHEB DYANDEV JATKAR

...  
Advocate for Applicant No.1 : Ms. Sunita D. Shelke  
AGP for Applicants No.2 and 3 : Mrs. M. L. Sangit  
Advocate for Respondent : Mr. Ramesh V. Naiknavare  
...

**CORAM : S. G. MEHARE, J.**

**DATE : 15-03-2024**

**PER COURT :-**

1. Heard the learned counsel for the applicant No.1/Acquiring Body, learned A.G.P. and the learned counsel for respondent.
2. Learned counsel for the applicant/acquiring body submits that the learned Reference Court did not consider the factors for assessing the market price of the land acquired. An exorbitant enhancement has been granted. The appellant has a good case on merit. The appellant has deposited the entire amount of compensation as per the impugned judgment and award.
3. Learned counsel for the respondent submits that there are no grounds to admit the appeal.
4. Perusal of the appeal memo shows that, there appear grounds to argue the appeal. The entire amount of compensation has been deposited. Hence, the following order is passed;

**ORDER**

- i) The application is allowed.
- ii) The *interim stay* granted by order, dated 22.12.2022, stands confirmed, till conclusion of the appeal.

**( S. G. MEHARE, J. )**

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