

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1515 OF 2016

IN

LAND ACQUISITION REFERENCE NO.97 OF 2003

WITH

CIVIL APPLICATION NO.4419 OF 2016

IN

FIRST APPEAL NO.1515 OF 2016

The State of Maharashtra
Through The Special Land
Acquisition Officer & Anr.

: Appellants

Vs.

Smt. Tulshi Govind Zhole
Since deceased through Legal Heirs
Shri. Dilip Govind Zhole

: Respondent

Mr. A. R. Patil, AGP for the State.
Adv. Sarfaraj J. Shaikh i/by Adv. Sachin S. Gite, for the Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 18TH APRIL, 2024

PC. :

1. This Appeal arises out of the Judgment & Award dated 17th September, 2012 in LAR No.97 of 2003 passed by the learned 3rd Joint Civil Judge, Senior Division, Nashik, whereby the Learned Reference Court has enhanced the amount of compensation in a reference under Section 18

of the Land Acquisition Act. The amount of compensation awarded by the learned SLAO was Rs.291/-. The said amount is enhanced to Rs.3165/-. The enhancement is thus only Rs.2,874/-.

2. This Court has gone through the Impugned Judgment & Award, it is seen that the Court has rightly considered the evidence led before the Court and appreciated the judgment cited before him. The Claimant had examined to witnesses showing that the proper value of the land was at the rate of Rs.1,58,250/- per Hectare. There is no contra evidence laid by the learned SLAO. Thus, on merits also this Court does not find that a case is made out, calling for interference at the hands of this Court. Though it is vehemently argued by the learned AGP, this Court does not find any reason call for interference.

3. There is no merit in the Appeal and same deserves to be dismissed.

4. The Appeal thus stands dismissed.

5. In view of the dismissal of the Appeal, pending Applications, if any, also stand disposed of.

(KISHORE C. SANT, J.)