

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.83 OF 2020

The State of Maharashtra

..Appellant

Versus

Mr. Vasant Digamgar Pail

Since deceased through legal heirs

Mr. Suhas Vasant Patil & Ors.

..Respondents

Mr. A. R. Patil, AGP for the Appellant/State.

CORAM : KISHORE C. SANT, J.

DATE : 30th APRIL, 2024

PC.

1. The above First Appeal arises from the judgment and award dated 26/04/2013 passed by the learned Joint Civil Judge Senior Division, Thane, in Land Reference No.98 of 2011. The land was acquired for Site of Proposed New Town project. The Special Land Acquisition officer, while passing award u/s. 11 of the Land Acquisition Act, awarded Rs.51,370/- as a compensation to the claimant. The Reference Court while deciding the Reference, awarded Rs.1,40,100/- by way of enhancement. The learned AGP submits that the said enhancement is within four times of the compensation awarded by the SLAO while passing award u/s. 11 of the Land Acquisition Act and therefore, the Government Notifications dated 03/11/2016 and dated 13/08/2018 are

applicable.

2. Since the above case is covered by the above mentioned notifications, learned AGP seeks liberty to withdraw the above Appeal. The above Appeal therefore stands disposed of as withdrawn.

3. Pending Application, if any, also disposed of.

4. The Court Fee to be refunded as per the rules.

[KISHORE C. SANT, J.]