



212-2024

1

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (O) NO. 212 OF 2024
IN CIVIL APPLICATION (O) ST. NO. 25545 OF 2023
IN CROSS OBJECTION ST. NO. 25544 OF 2023
IN FIRST APPEAL NO. 641 OF 2021

(Mahesh s/o Sahebrao Jaisingpure & Ors. Vs. The State of Maharashtra & Ors.)

AND CIVIL APPLICATION (F) NO. 484 OF 2024
IN FIRST APPEAL NO. 641/2021

(VI.D.C. Vs. Mahesh s/o Sahebrao Jaisingpure & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

CAO No. 212/2024

Shri S.D. Chopde, Counsel for the applicants.
Ms D.I. Charlewar, A.G.P. for the respondent/State.

CAF No. 484/2024

Shri A.M. Kukday, Counsel for the appellant/VI.D.C.
Shri S.D. Chopde, Counsel for the applicants/respondent
nos. 1 to 3.
Ms D.I. Charlewar, A.G.P. for the respondent/State.

.....

CORAM : ANIL L. PANSARE, J.
FEBRUARY 14, 2024.

Perused the applications.

2] For the reasons set out in the applications,
the same are allowed. Necessary amendment be made
forthwith.

3] The Civil Applications are disposed of.

CIVIL APPLICATION NO. 485/2024

4] The Reference Court has vide judgment and
award dated 13/12/2019 assessed the valuation of land
under question @ Rs.38,50,000/- per hectare along with
interest @ 12% per annum for the period from

12/5/2006 to 10/6/2009, solatium @ 30% on basic amount in terms of Section 23(2) of the Land Acquisition Act, 1894 and interest @ 9% per annum for the period of one year from 10/6/2009 and thereafter @ 15% per annum till the award is realized. Admittedly, the land admeasuring 1 Hectare 27 R was acquired.

5] The learned Counsel for the claimants submits that the appellant has deposited an amount of Rs.29,81,465/- only. According to him, the amount will be more than rupees one crore.

6] The learned Counsel for the appellant, however, has shown across the bar letter dated 10/10/2022 addressed to the learned Counsel by the Officer of V.I.D.C. mentioning therein that amount of Rs.84,19,352/- has been deposited before the trial Court. In addition, an amount of Rs.29,81,465/- has been deposited before the trial Court. Thus, he submits that entire amount has been deposited.

7] The parties shall sit together and verify the correctness and compliance of order granting stay and shall act accordingly. The parties shall also take instructions as regards withdrawal of amount from the trial Court.

8] Stand over to 28/2/2024.

(ANIL L. PANSARE, J.)

Sumit