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14-FA-1184-2003

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

14 FIRST APPEAL NO. 1184 OF 2003

State Of Maharashtra
VERSUS
Amrutlal Motilal Pokharn
WITH
CIVIL APPLICATION NO. 6961 OF 2003
IN FA/1184/2003
WITH
FIRST APPEAL NO. 274 OF 2011

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Mr. R. B. Dhaware, AGP for Appellant-State.

CORAM : KISHORE C. SANT, J.

DATE : 4th AUGUST 2025.

PC :-

1. Heard the learned APP.
2. This first appeal arises out of judgment and order dated 28th November 2000, passed by the learned Joint Civil Judge Senior Division, Ahmadnagar, in Land Acquisition Reference No. 56 of 1997. The respondent is original claimant who had filed a reference under Section 18 of the Land Acquisition Act. The land of the claimant came to be

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acquired for Kukadi Left Bank Canal from village Takali-Lonar and Tandali Dumala, Tal. Shrigonda Dist. Ahmednagar.

3. A notification under Section 4 came to be issued on 14th April 1994. The land came to be acquired is 5H and 29R. After following due procedure, the award came to be passed on 30th March 1996. The learned SLAO had granted rate @ of Rs.795 per R. In a reference, the trial Court enhanced the said compensation rate @ of Rs. 1240 per R.

4. This Court finds that the said enhancement is less than four times of the award by learned SLAO. The Government of Maharashtra vide notification dated 3^r November 2016 and corrigendum dated 23rd February 2017 has taken a decision not to file appeals in cases, where the amount of compensation is enhanced to less than four times of the award by the learned SLAO.

5. In the present case, this Court finds that the amount of enhancement is less than two times. First appeal is thus covered under the policy of the Government. No purpose would be served by keeping

this first appeal pending. First Appeal No.1184 of 2003 is thus stands dismissed and disposed off.

6. Counter-claim be considered independently.

[KISHORE C. SANT, J.]