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942-FA-1335-2025

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

942 FIRST APPEAL NO. 1335 OF 2025

The State Of Maharashtra And Ors

VERSUS

Fulchand Baburao Mule

WITH

CIVIL APPLICATION NO. 5146 OF 2011

IN FA/1335/2025

WITH

CIVIL APPLICATION NO. 5148 OF 2011

IN FA/1640/2025

WITH

FIRST APPEAL NO. 1640 OF 2025

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

Mr. S. A. Wakure, (through VC) Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 15th OCTOBER 2025.

PC :-

FA/1335/2025 with CA/5146/2011

1. Heard the learned Advocates for the parties.
2. This appeal is preferred by the State challenging the judgment and Award dated 14th July 2010 passed by the learned Civil Judge, Senior

Ethape

Division, Omerga in LAR No.598/2009.

3. The learned trial Judge, by way of impugned judgment and award, has enhanced the amount of compensation awarded to the Respondent claimant.

4. The land of the respondent-claimant came to be acquired for construction of Kolhapuri Bandhara. A notification under Section 4 was issued on 6th February 1997. Award was passed on 14th December 1999. The learned SLAO granted compensation @ of Rs. 300 per R. The total compensation was Rs.70,600/-. The learned Reference Court enhanced the amount of compensation and granted the same @ of Rs.506 per R. The total compensation was Rs.1,22,600/-. This Court finds that the said enhancement is within four times of the amount awarded by the learned SLAO.

5. The State Government has taken a decision dated 3rd November 2016 and Corrigendum dated 23rd February 2017, not to file appeals where the amount of compensation is less than four times of the rate awarded by the learned SLAO and if the appeals are filed, the same are

to be compromise in Lok Adalat.

6. Considering the policy of the Government, this court finds that admitting and keeping the appeals pending would not serve any purpose as the amount is enhanced in the present appeals is less than four times of the amount awarded by the learned SLAO.

7. In view of the same, the appeal stands dismissed with no order as to costs.

8. In view of disposal of first appeal, nothing survives in the civil application, the same also stands disposed off.

FA/1640/2025 with CA/5148/2011

9. Sand over to 26th November 2025.

[KISHORE C. SANT, J.]