



(1)

905-CA-7249-2005

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO. 7249 OF 2005
IN FAST/9149/2005

State Of Maharashtra Thr. Collector Jalna And Ors

VERSUS

Mahadeo Babanrao Chaval

...

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

CORAM : KISHORE C. SANT, J.

DATE : 16th SEPTEMBER 2025.

PC :-

CA/7249/2005

1. Heard learned AGP for Applicant-State.
2. This application is filed for condonation of delay of 651 days caused in filing this civil application.
3. For the reasons stated in the application, delay stands condoned.
Application is allowed.
4. Office to register First Appeal.
5. Civil Application stands disposed off.

Ethape

First Appeal

6. Learned AGP for the appellant-State.

7. This First Appeal is preferred against the Judgment and Award passed by the learned Joint Civil Judge, Senior Division, Jalna, in Land Acquisition Reference No. 27 of 2002, dated 25th April 2003.

8. It is seen that the land of the respondent-claimant came to be acquired admeasuring 27R from land Gut No. 47/4 and 79R from land Gut No. 47/3 of village Wanjola, Tq. Mantha, Dist. Jalna, for Ninma Dudhana Project, Selu. A notification under Section 4 of the Land Acquisition Act came to be issued on 13th July 1995. Award came to be passed on 31st March 1999. The learned SLAO awarded the compensation @ Rs.623 per R. Being aggrieved by the adequacy of the said compensation, the respondent-claimant filed LAR No. 27 of 2002 in the Reference Court. In the reference, the learned Joint Civil Judge Senior Division, Jalna, enhanced the amount of compensation and awarded the rate of Rs.1,200/- per R for *Jirayat* and Rs.1,500/- for seasonally irrigated land.

9. This Court finds that the amount of enhancement is less than four times. In view of the Government Resolution dated 3rd November 2016 and the Corrigendum dated 23rd February 2017, the Government has taken a policy decision not to file appeals where the amount of enhancement is less than four times of the amount awarded by the learned SLAO.

10. Considering above, this Court finds that keeping the appeal pending will be of no use. Even no notice is required in view of the policy of the Government.

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

[KISHORE C. SANT, J.]