

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

60 FIRST APPEAL NO. 3949 OF 2019

The State of Maharashtra And Another

VERSUS

Sopan Daji Gadhave Died

His LRs Narayan Sopan Gadave And Others

.....

Shri. D. J. Patil, AGP for the Appellant / State.

Shri. A. R. Barate, Advocate for Respondent Nos.1 to 4

.....

WITH

CIVIL APPLICATION NO. 5843 OF 2015

IN FA/3949/2019

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : MAY 05, 2025

PER COURT :-

. This Appeal has been preferred by the State against the Judgment and Award dated 29.03.2010 passed by the learned II Jt. Civil Judge S. D. Osmanabad in L. A. R. No.174/2001.

2. It is submitted by the learned AGP appearing for the Appellant/State that, the State Government has taken policy decision and issued Government Resolution (for short, 'G.R.') dated 03.11.2016 and its Corrigendum dated 23.02.2017, wherein it is decided not to prefer the Appeal wherein the compensation enhanced by the learned Reference Court is up to four (4) times of the compensation awarded by the Special Land Acquisition Officer (in short, 'SLAO'). He submits that the Appeal can be disposed off in light of the above referred GR's.

3. The learned Advocate for the Respondents submits that this Court by order dated 29.06.2017, has disposed off the connected Appeals i.e.

First Appeal Nos.463 and 464 of 2016 preferred by the State out of the same acquisition proceedings on merits.

4. The contention of the learned AGP is supported by the said Government Resolutions. The GR dated 03.11.2016 and Corrigendum to the said GR dated 23.02.2017, provide that no Appeal shall be filed by the State or its instrumentalities if the Award passed by the learned Reference Court is within four (4) times than the compensation granted by the S.L.A.O. As the Award passed by the learned Reference Court is within the ambit of four (4) times than the compensation granted by the SLAO, the Appeal stands disposed off in light of the said GR and Corrigendum.

5. Pending Civil Application stands disposed off.

6. The Record & Proceedings be sent back to the learned Reference Court.

(NEERAJ P. DHOTE, J.)

GGP