



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

**CIVIL APPLICATION NO. 6904 OF 2013
IN FAST/11085/2013**

The State Of Maharashtra And Another .. Applicants

Versus

Bhika Bandu Patil (deceased)
Through L.Rs. Manubai Bhika Patil And Others .. Respondents

**WITH
CIVIL APPLICATION NO. 6905 OF 2013
IN FAST/11085/2013**

The State Of Maharashtra And Another .. Applicants

Versus

Bhika Bandu Patil (deceased)
Through L.Rs. Manubai Bhika Patil And Others .. Respondents

**WITH
FIRST APPEAL (STAMP) NO. 11085 OF 2013**

The State Of Maharashtra And Another .. Appellants

Versus

Bhika Bandu Patil (deceased)
Through L.Rs. Manubai Bhika Patil And Others .. Respondents

Mr. R. B. Dhaware, AGP for the Applicants/Appellants.
Mr. G. V. Borse, Advocate h/f Mr. V. B. Patil, Advocate for
Respondent Nos. 2 to 5.

AND

**CIVIL APPLICATION NO. 6902 OF 2013
IN FAST/11051/2013**

The State Of Maharashtra And Another .. Applicants

Versus

Shriram Zipru Patil (Died)
Through L.Rs. Bhika Shriram Patil And Another .. Respondents

WITH

**CIVIL APPLICATION NO. 6903 OF 2013
IN FAST/11051/2013**

The State Of Maharashtra And Another .. Applicants

Versus

Shriram Zipru Patil (Died)
Through L.Rs. Bhika Shriram Patil And Another .. Respondents

WITH

FIRST APPEAL (STAMP) NO. 11051 OF 2013

The State Of Maharashtra And Another .. Appellants

Versus

Shriram Zipru Patil (Died)
Through L.Rs. Bhika Shriram Patil And Another .. Respondents

Mr. R. B. Dhaware, AGP for the Applicants/Appellants.

CORAM : KISHORE C. SANT, J.

DATE : 19th SEPTEMBER, 2025.

PER COURT :-

CIVIL APPLICATIONS FOR CONDONATION OF DELAY :

1. For the reasons stated in the applications, delay stands condoned. The civil applications are allowed.

FIRST APPEALS :

1. Heard the learned A.G.P for the appellants and learned advocate for respondents – claimants.

2. The land of the claimants came to be acquired for Right Bank Canal of Hatnur Project. The land of the claimant Shriram Zipru Patil came to be acquired admeasuring 51 R from land Gat No. 176. The land of the claimant Bhika Bandu Patil came to be acquired admeasuring 11 R from land Gat No. 186. The learned S.L.A.O. granted the rate of Rs. 60/- per R. The learned Reference Court by impugned judgment and award dated 18.12.2006 has enhanced the amount of compensation and granted the same at the rate of Rs. 516/- per R. Therefore, the State has come to this Court.

3. The learned A.G.P vehemently argued that, the learned Reference Court has wrongly enhanced the amount of compensation. The learned S.L.A.O. had rightly granted the rate of Rs. 60/- per R. The learned Reference Court failed to

appreciate the evidence in proper perspective. He thus prays for allowing the appeals.

4. The learned advocate for respondents vehemently argued that, there is no substance in the appeals and the appeals deserve to be dismissed. The claimants had filed on record sale instance Exh. 19/4 dated 22.03.1983 wherein, land from Gat No. 247 admeasuring 52 R was sold for Rs. 25,000/-. PW-1 has given cogent evidence. In the sale instance, 52 R land was sold for Rs. 25,000/- from adjoining village. The distance between two lands is hardly 2-3 furlong. The learned Court has rightly appreciated the evidence. The thus prays for rejections of the appeals.

5. This Court has seen the deposition of PW-1. From his deposition it appears that, in the cross examination nothing is brought on record to disbelieve the sale instance. This Court thus finds that, there is no illegality committed by the learned Reference Court. One more aspect needs to be considered that the total compensation given by the learned Reference Court is Rs. 29,376/- in the case of Shriram Zipru Patil. It is hardly

Rs. 6336/- in the case of Bhika Bandu Patil.

6. This Court thus finds that, keeping the appeals pending would not serve any purpose. Therefore, the first appeals deserve to be dismissed and the same are dismissed. No order as to costs.

7. In view of disposal of first appeals, pending civil applications also stand disposed of.

(KISHORE C. SANT, J.)

PS.B.