



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

FIRST APPEAL NO. 818 OF 2015

The State Of Maharashtra
Through Collector And Others

.. Appellants

Versus

Balbhim Satwa Bhalerao

.. Respondent

WITH

**CIVIL APPLICATION NO. 10620 OF 2012
IN FA/818/2015**

The State Of Maharashtra
Through Collector And Others

.. Applicants

Versus

Balbhim Satwa Bhalerao

.. Respondent

Mr. R. B. Dhaware, AGP for the Appellants/Applicants.
Mr. Manoj D. Shinde, Advocate for Respondent.

AND

FIRST APPEAL NO. 359 OF 2015

The State Of Maharashtra
Through Collector And Others

.. Appellants

Versus

Annarao Madhav More

.. Respondent

WITH
CIVIL APPLICATION NO. 10576 OF 2012
IN FA/359/2015

The State Of Maharashtra
Through Collector And Others

.. Applicants

Versus

Annarao Madhav More

.. Respondent

Smt. R. R. Tandale, AGP for Appellants/Applicants.
Mr. Manoj D. Shinde, Advocate for Respondent.

CORAM : KISHORE C. SANT, J.

DATE : 10th SEPTEMBER, 2025.

PER COURT :-

. Heard the parties.

2. Since both the appeals are identical, both the appeals are being taken up together and are being decided by common order.

3. The appeals are filed challenging judgment and award passed by learned Joint Civil Judge Senior Division, Omerga dated 28.10.2010 in L.A.R. No. 198/2009 in First Appeal No. 818/2015. First Appeal No. 359/2015 arises out of judgment and award dated 29.10.2010 passed by the same Court in L.A.R. No.

223/2009. The property of the respondents-claimants came to be acquired for submergence of Turori Medium Project. In both the matters, the properties are house properties. A notification under section 4 of the Land Acquisition Act was issued on 30.07.1992. Award came to be passed on 10.03.1997. The learned S.L.A.O. granted compensation at the rate of Rs. 22/- per sq.mtr. The learned Reference Court enhanced the compensation at the rate of Rs. 130/- per sq.mtr.

4. The learned A.G.P. vehemently argued that, the learned Trial Judge has enhanced the amount of compensation unreasonably without sufficient evidence on record. He submits that, the learned S.L.A.O. had rightly awarded the rate by considering the position of the properties. The enhancement is more than six times. He thus prays for allowing the appeals.

5. The learned advocate for respondents-claimants vehemently argued that, the learned Trial Judge has rightly granted the compensation. The properties are house properties. The rate granted by learned S.L.A.O. is too meager. Though the claimants had prayed for some more amount, still the learned Trial Court

has granted it only by considering the rate of Rs. 130/- per sq.mtr.

6. This Court has gone through the orders. This Court hardly find any ground to allow the appeals. In First Appeal No. 359/2015, total amount is Rs. 4,598/- and in First Appeal No. 818/2015 it is only Rs. 27,170/-. This Court hardly find anything to interfere with the orders. Considering the above, following order :

ORDER

(I) The first appeals stand dismissed. No order as to costs.

(II) Pending civil applications, if any, stand disposed of in view of disposal of first appeals.

(III) Needless to say that, the claimants are entitled to receive the amount of compensation deposited in this Court along with accrued interest.

(KISHORE C. SANT, J.)

PS.B.