

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

940 FIRST APPEAL NO. 864 OF 2017

The State of Maharashtra And Ors

Versus

Laxmibai Bharat Khochare

.....

Shri. R. B. Dhaware, APP for the Appellant / State.

.....

AND

FIRST APPEAL NO.863 OF 2017

The State of Maharashtra And Ors

Versus

Sanjaykumar Sampat Thorat

.....

Shri. R. B. Dhaware, APP for the Appellant / State.

.....

CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 27, 2025

COMMON ORDER :-

1. Learned AGP appears for the Appellants/State. None for the Respondents.
2. It is submitted by the learned AGP appearing for the Appellants/State that, these Appeals are filed by the State against the Judgment and Award dated 16.04.2014, passed by the learned Jt. Civil Judge, Senior Division, Osmanabad in Land Acquisition Reference Nos. 848 of 2011 and 850 of 2011. He further submits that these Appeals can be disposed off in view of the Government Resolution (in short, 'G.R.') dtd.03.11.2016 and Corrigendum dtd. 23.02.2017. The learned AGP submits that, the Appeals can be disposed off in light of the Order

dated 30.09.2024 passed in First Appeal No.1146 of 2017 and the Order dated 19.02.2025 passed in First Appeal No. 860 of 2017.

3. 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 Land Acquisition Officer.

4. Perused the said Government Resolutions.

5. The contention of the learned AGP is supported by the said Government Resolutions. As the Award passed by the learned Reference Court is within the ambit of four (4) times than the compensation granted by the Special Land Acquisition Officer, the Appeals ought not to have been filed.

6. In the facts and circumstances of the case, the Appeals stand disposed off in light of the said GR dated 03.11.2016 and Corrigendum to the said GR dated 23.02.2017.

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

(NEERAJ P. DHOTE, J.)