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914-CA-11346-2013

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 CIVIL APPLICATION NO. 11346 OF 2013
IN FAST/23291/2013

The State Of Maharashtra And Others

VERSUS

Nivruti Krishna Gaikwad

WITH

CIVIL APPLICATION NO. 11347 OF 2013
IN FAST/23291/2013

...

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

CORAM : KISHORE C. SANT, J.

DATE : 20th SEPTEMBER 2025.

PC :-

1. In spite of service, none for the respondent.
2. This civil application is filed for condonation of delay of 921 days caused in filing the first appeal.
3. For the reasons stated in the application, application is allowed. Delay stands condoned. Office to register the First Appeal.
4. Civil Application stands disposed off.

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FIRST APPEAL

5. This appeal is filed by the State challenging the Judgment and Award dated 28th October 2010, passed by the learned Joint Civil Judge, Senior Division, Omerga in LAR No. 132/2009.

6. The property acquired is house property of the respondent-claimant. A notification under Section 4 came to be issued on 30th July 1992. Award was passed on 10th March 1997. The learned SLAO has awarded compensation at the rate of Rs.22/- per sq. mtr. The same came to be enhanced at the rate of Rs.130/- per sq. mtr. The total land acquired is 107.41 sq. mtr. Considering the enhanced rate, the total compensation is Rs.13,963.3/-.

7. On merits, this Court is not with the appellant. The enhancement is granted by considering the evidence on record. No case is made out to interfere with the Judgment and Award passed by the learned Reference Court. There is no substance in the appeal. The appeal therefore deserves to be dismissed. Hence, the following order:

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ORDER

- (i) First Appeal stands dismissed. No order as to costs.
- (ii) In view of dismissal of First Appeal, pending Civil Applications, if any, do not survive and same stand disposed off.

[KISHORE C. SANT, J.]