



(1)

915-CA-11917-2013

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 CIVIL APPLICATION NO. 11917 OF 2013
IN FAST/23823/2013

The State Of Maharashtra And Another

VERSUS

Samabai Vithoba Aghav

WITH

CIVIL APPLICATION NO. 11918 OF 2013
IN FAST/23823/2013

...

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

CORAM : KISHORE C. SANT, J.

DATE : 20th SEPTEMBER 2025.

PC :-

1. In spite of service, none appears for Respondent.
2. This civil application is filed for condonation of delay of 397 days caused in filing the first appeal.
3. For the reasons stated in the application, application is allowed.
Delay stands condoned.
4. Office to register the First Appeal.
5. Civil Application stands disposed off.

Ethape

FIRST APPEAL

6. This appeal is filed by the State challenging the Judgment and Award dated 7th April 2012, passed by the learned Civil Judge, Senior Division, Beed in LAR No. 57/2008.

7. The land of the respondent-claimant admeasuring 90R from Gut No.158/2 and 0.05R *pot kharab* 0.07R from Gut No.158/5 came to be acquired for Village Tank Hatola Project at Hatola. A notification under Section 4 of the Land Acquisition Act came to be issued on 24th April 1992. The award was passed on 22nd May 1995. The learned SLAO awarded total compensation of Rs.150/- per R which is enhanced to Rs.900/- per R. The total consideration thus comes to Rs.81,000/-.

8. The learned AGP vehemently argued that the learned Reference Court has failed to consider the evidence in its proper perspective. It has accepted the evidence as regards the learned SLAO had, in fact, awarded the compensation which was fair and adequate. He thus prays for setting aside the award.

9. This Court has gone through the impugned Judgment and Award passed by the learned Reference Court. This Court does not find any merit in the first appeal. The appeal therefore deserves to be dismissed.

Hence, the following order:

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.]