



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

**CIVIL APPLICATION NO. 13948 OF 2011
IN FAST/25513/2011**

The State Of Maharashtra And Another .. Applicants

Versus

Tulsabai Trimbak Kedar And Others .. Respondents

**WITH
CIVIL APPLICATION NO. 13949 OF 2011
IN FAST/25513/2011**

The State Of Maharashtra And Another .. Applicants

Versus

Tulsabai Trimbak Kedar And Others .. Respondents

**WITH
FIRST APPEAL (STAMP) NO. 25513 OF 2011**

The State Of Maharashtra And Another .. Applicants

Versus

Tulsabai Trimbak Kedar And Others .. Respondents

Mr. R. B. Dhaware, AGP for the Applicants.
Ms. N. S. Kirjawalekar, Advocate h/f Mr. D. R. Jaybhar, Advocate
for Respondent Nos. 1, 3, 4 & 5.

**CORAM : KISHORE C. SANT, J.
DATE : 10th SEPTEMBER, 2025.**

PER COURT :-

CIVIL APPLICATION FOR CONDONATION OF DELAY :

1. Heard learned A.G.P and learned advocate for respondents.
2. The Government has filed this application seeking condonation of delay of 415 days.
3. For the reasons recorded in the application, delay stands condoned. First appeal be registered.

FIRST APPEAL :

1. The present appeal arises out of judgment and award dated 22.04.2010 in L.A.R. No. 382/2009 passed by the learned Ad-hoc District Judge-1, Beed. By way of impugned judgment and award the learned Reference Court has enhanced the amount of compensation by enhancing the rate awarded by the learned S.L.A.O. from Rs. 1,000/- per R. and Rs. 15 per R. for potkharaba land. The total compensation awarded was Rs. 53,300/-. The learned Reference Court has awarded the compensation at the rate of Rs. 3049/- per R. Thus, total compensation was Rs. 2,22,604/-. Notification under Section 4 of the Land Acquisition Act was issued on 22.12.2005. The land of the claimants came to

be acquired admeasuring 73 R for a percolation tank No. 4 at Pimpalner. The amount of enhancement is less than four times of the amount awarded by the learned S.L.A.O.

2. The Government of Maharashtra vide Government Resolution dated 03.11.2016 and Corrigendum dated 23.02.2017, took a decision not to file appeals where the amount enhanced is less than four times of the amount awarded by the learned S.L.A.O. In case, appeals are filed, the said appeals be withdrawn. In the present appeals, the compensation awarded by the learned Reference Court is within four times the compensation awarded by the learned S.L.A.O. The learned AGP also could not point any illegality or perversity in the impugned judgment and award. Considering this, this Court find that, no purpose would be served by keeping the appeal pending. Even otherwise, this Court does not find anything on merits to entertain the appeal.

3. Therefore, the first appeal stands dismissed. No order as to costs.

4. Pending civil applications, if any, also stand disposed of.

(KISHORE C. SANT, J.)

PS.B.