

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

100 FIRST APPEAL NO. 1901 OF 2017

The State of Maharashtra And Anr

Versus

Kundlik Dhondiba Magar Died Thr LRs Sumanbai And Others

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

Shri. Deepak B. Rasve h/f. Shri. S. N. Patne,

Advocate for Respondent Nos.1-A to 1-C

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WITH

CIVIL APPLICATION NO. 12983 OF 2017 IN FA/1901/2017

WITH

CIVIL APPLICATION NO. 12984 OF 2017 IN FA/1901/2017

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 15, 2025

PER COURT :-

. This is the Appeal by the State against the Judgment and Award dated 15.04.2013 passed by the learned 5th Jt. Civil Judge, Senior Division, Osmanbaad in LAR No.1077/2002, enhancing the compensation.

2. It is submitted by the learned AGP appearing for the State that the State of Maharashtra, by Government Resolution (for short, 'G.R.') dated 03.11.2016 and its Corrigendum dated 23.02.2017, has taken policy decision not to challenge the Judgment and Award passed by the learned Reference Court wherein enhancement is up to four (4) times the compensation awarded by the Spl. Land Acquisition Officer (In short, 'SLAO'). He submits that, in the case in hand, the compensation

enhanced by the learned Reference Court is within four (4) times the compensation awarded by the SLAO. He submits that the Appeal can be disposed off in view of the above G.R's.

3. The learned Advocate for the Respondents - Claimants is present.

4. There is no dispute that this Court considered the above referred GR and its Corrigendum and disposed off the Appeals which are covered by the aforesaid G.R's. In the case in hand, when the compensation enhanced by the learned Reference Court is within four (4) times the compensation awarded by the SLAO, this Appeal can also be disposed off in view of the aforesaid G.Rs.

5. In view of the above, the Appeal stands disposed off in the light of the said G.R. dated 03.11.2016 and and Corrigendum to the said GR dated 23.02.2017.

6. The Claimants will be at liberty to move Application before the concerned Authority, where the amount is lying, for withdrawal of the amount.

7. Pending Civil Applications stand disposed off.

(NEERAJ P. DHOTE, J.)

GGP