

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 1444 OF 2002**

The Kurundwad Nagarpalika,	]	
Kurundwad, appearing through	]	
Chief Officer, Kurundwad	]	
Nagarpalika, District	]	
Kolhapur	]	...Appellant
		(Original respondent
		No.2)

Versus

1.	The Collector,	]	
	throug Special Land	]	
	Acquisition Officer No.11	]	
	Kolhapur	]	
2.	Shrikant Appanna Jirage	]	
	(Since Deceased)	]	
	Through Legal Heirs Raider-I	]	
	residing at Narsobawadi	]	
	Tal. Shirol, Dist. Kolhapur	]	
2A]	Manshi @ Malutai Shrikant Jirage,	]	
	Aged-66 Years,	]	
2B]	Amol Shrikant Jirage,	]	
	Age-37	]	
2C]	Minakshi Mahesh patil	]	
	Age-47	]	
2D]	Vidya Rahul Gadave	]	
	Age-45	]	
	All R/o. A/P Nrushingawadi,	]	
	Tal. Shirol, Dist. Kolhapur.	]	...Respondents
			(No.1 Org. Respt
			No.2 Original
			Claimant)

Adv. G. S. Koli i/by Mr. Gajanan M. Savagave for Appellant.
Mr. S. H. Yadav, AGP for the Respondent-State.
Mr. Sandeep S. Koregave, Advocate for Respondent No.2-Legal Heirs.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th DECEMBER 2025

P. C. :

1. This appeal is preferred by appellant- Corporation against the judgment and order passed by reference Court.
2. It is the contention of learned counsel for the appellant-Corporation that the reference Court has enhanced the amount from Rs.1,87,630.42/- to Rs.6,06,788.00/- (which is at page 28 of the paper book) without any evidence on record. Hence, requested to allow the appeal.
3. It is the contention of learned counsel for the respondent-claimant that the claim of the claimant before the reference Court was of Rs.300/- per square meter for getting the compensation but the reference Court has awarded the compensation of Rs.175 per square meter which is on lower side. The claimant had produced the evidence in that regard before the reference Court but it was not considered. The reference Court has passed well reasoned order. No interference is required in it and requested to dismiss the appeal.

4. I have heard both the learned counsel and perused Judgment and Order passed by III Additional District Judge, Kolhapur (for short 'the Trial Court').

5. The claimant has examined himself for enhancement of compensation amount and he has produced the Sale Deed dated 09.08.1982 at Exhibit- 34 which sold at Rs. 550 per square meter and Sale Deed dated 07.04.1983 at Exhibit- 35 which sold at Rs.263.55 per square meter in the same town in support of the enhancement of compensation. These Exhibits show that some land is adjacent to acquired land of the claimant were sold for more than Rs.200/- square meter. Considering evidence on record, the Trial Court has awarded Rs.175/- per square meter. I do not find infirmity in it. Considering the above facts, the appeal is of devoid of merits and I pass following order :

ORDER

- a) Appeal is dismissed.
- b) The respondent-claimant is permitted to withdraw the deposited amount along with accrued interest thereon.

(SHIVKUMAR DIGE, J.)