



THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

FIRST APPEAL NO.1217 OF 2010

Maharashtra Industrial Development Corporation, having its office at Marol Industrial Estate, Andheri, East Mumbai and having its Regional Office at By Pass Road, Amravati, through its Chief Executive Officer. ..

Appellant

..Versus..

- 1) Ganesibai wd/o Kisanlal Gupta,
Aged about 66 years,
Occ : Household.
- 2) Sarika Ashok Kubre,
Aged about 37 years,
Occ : Household.
- 3) Sau. Saroj Gangaram Mehare,
(Rathod), Aged about 45 years,
Occ : Household.
- 4) Rakesh Kisanlal Gupta,
Aged about 39 years,
Occ : Agriculturist.
- 5) Rajesh Kisanlal Gupta,
Aged about 37 years,
Occ. Agriculturist.
- 6) Mukesh Kisanlal Gupta,
Aged about 34 years,
Occ : Household.

- 7) Ku. Sangita Kisanlal Gupta,
Aged about 34 years,
Occupation-Household.

All R/o. Chitra Chowk, Cottom
Market Road, Amravati.

- 8) State of Maharashtra, Through
SDO and Land Acquisition Officer,
Amravati.

..

Respondents

.....

Shri M.M. Agnihotri, Advocate for Appellant.

Shri Anand K. Nagle, Advocate h/f Shri A.H. Lohiya,
Advocate for Respondent Nos.1 to 7.

Shri H.D. Futane, AGP for Respondent No.8-State.

.....

CORAM : PRAVIN S. PATIL, J.

DATED : 21.11.2025.

JUDGMENT

1. The Appellant-MIDC challenged the judgment and order passed by the Reference Court in Land Acquisition Case No.563/1999 decided on 28.10.2009, whereby the learned Reference Court has enhanced the compensation from Rs.36,900/- to Rs.75,000/- per hectare.

2. The main ground to challenge the present appeal is that the sale instances relied upon by the learned

Reference Court are from the Nandgaon Peth, whereas the land in question was located at village Dawargaon. Hence, according to the appellant, the sale instances which are relied upon are not relevant in the matter. It is further contended that the learned Reference Court has wrongly relied upon the judgment of the Reference Court in L.A.C. No.211/1999 which was of other village and not relevant in the present matter.

3. It is the submission of the respondents/claimants that village Dawargaon being situated on Amravati-Morshi State Highway and acquired land is adjoining to the portion of National Highway No.6, Amravati Nagpur as well as adjoining to Amravati-Morshi State Highway Road, therefore, they are entitled for enhancement of compensation at the rate of Rs.2,00,000/- per hectare.

4. In view of the submission made by the appellant and respondents before this court, I have gone through the reasoning recorded by the learned Reference Court in the matter.

5. It is the case of the claimants that by way of comparable sale deed method, they have determined the valuation of the land and accordingly relying on the same they sought enhancement in the compensation amount. So also the learned Tribunal has relied upon the sale instances particularly of the year 1994 of villages which are around the village Dawargaon, Nandgaon Peth, Narayanpur, Rustampur, Jamthi Maholi, Yawali etc.

6. The Reference Court has noted in the impugned judgment that the sale instances of all these villages shows the market value of the land around Rs.60,000/- to Rs.1,30,000/-, therefore, by drawing mean of the above sale instances awarded compensation at the rate of rs.75,000/- per hectare.

7. In the present appeal, though various grounds raised by appellant, it is pertinent to note that State Government has already framed policy and same was followed in many such matters is that, in case the enhance compensation by reference court found to be within four times than amount awarded by Land Acquisition Officer, then

such cases should be withdrawn by the acquiring body.

In the present matter, without going into merits and verifying the grounds raised by appellant, I am of the opinion that present appeal deserves to be disposed on the sole ground that amount enhanced by reference court is within the four times of amount awarded by the Land Acquisition Officer.

8. In addition to this I also go through the impugned judgment and order, I find that the learned Reference Court has considered almost all the grounds raised by appellant in the matter. Hence, I do not find any merit in the present appeal. The appeal stands **dismissed**.

9. It is stated that at the time of deciding present appeal, the cross-objector was not ready with the matter. Hence, it is clarified to the parties that cross-objection will be decided independently.

(Pravin S. Patil, J.)