



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

**FIRST APPEAL NO. 616 OF 2016**

Vidarbha Irrigation Development Corporation, Yavatmal

Vs.

Trimbak s/o Ganpatrao Kawalkar and Ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.  
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Mr. Rawnak Korani, Advocate h/f Mr. A.B. Patil, Advocate  
for appellant.

Mr. Ashish B. Nakshane, Advocate for respondent Nos.1  
& 2.

**CORAM : ROHIT W. JOSHI, J.**

**DATE : 03.02.2025.**

The present appeal is preferred under Section 54 of the Land Acquisition Act challenging the judgment and award dated 31.07.2008 passed by the learned Civil Judge Senior Division, Yavatmal in LAC No.04/2005. The learned counsel representing the appellant and the respondents jointly submit that the controversy in the present appeal is covered by the judgment dated 21.02.2019 passed by this Court in First Appeal No.713/2013 and submit that compensation may be awarded to the original claimants/respondents in the present appeal at the same rate as is awarded in the said appeal.

2. In view of the aforesaid, the appeal is partly allowed by granting compensation for the open land @ Rs.750/- per sq. meter for plot No.806 admeasuring 87.40 sq. meter, plot No. 864 admeasuring 300 sq. meter and plot No.830 admeasuring 89.50 sq. meter. The statutory benefit be calculated and paid as per enhancement granted. The impugned award passed in LAC No.04/2005 is modified accordingly. The amount awarded for the construction is not altered. The appellant is directed to deposit the amount of enhanced compensation within a period of four months from today with the learned reference Court i.e. learned Civil Judge Senior Division, Yavatmal.

3. Parties to bear their own costs.

**(ROHIT W. JOSHI, J.)**