



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

FIRST APPEAL NO.1067 OF 2010

THE EXE. ENGINEER, MAH. INDUSTRIAL DEV. CORP. REGIONAL MANAGER,
MIDC AMRAVATI
VS
SMT. HUBREE W/O SAYYAD NUR AND OTHS

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. M.M. Agnihotri, Advocate for the appellant/s
Ms Hemlata Dhande, AGP for the respondent-State
Mr. B.J. Lonare, Advocate for LR the respondent No.1

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 21st January, 2025

1. Heard rival submissions.
2. The learned counsel for the legal representatives of original respondent No.1/claimant produced on record the judgment dated 15.06.2012 passed by this Court in other connected matters i.e. First Appeal No.734/2008 and others, wherein the rate of Rs.1,00,000/- per hectare awarded by the learned Reference Court, has been confirmed by this Court. One of the lands under acquisition in the aforesaid judgment is pertaining to village Dhamana. The land involved in this appeal also pertains to village Dhamna. As such, the learned counsel for the legal representatives of the respondent No.1 submits that the present appeal is covered under the aforesaid judgment, wherein the learned Reference Court has granted rate of Rs.1,00,000/- per hectare.

3. The learned counsel for the appellant/acquiring body though resisted the said position, but fairly submitted that the appellant/acquiring body has in fact withdrawn so many appeals before the Lak-Adalat, wherein the same rate of Rs.1,00,000/- is granted.

4. As such, there appears no substance in the present appeal in view of the aforesaid judgment and the same stands **dismissed**.

5. The learned counsel for the appellant/acquiring body has also made statement before the Court that he would deposit the balance amount of 25 % of the compensation along with the proportionate interest accrued thereon till date, within a week.

6. In view of the same, the legal heirs of deceased respondent No.1/claimants are permitted to withdraw the same along with the interest accrued thereon, as and when deposited.

7. All the pending applications stand disposed of, as the main appeal is dismissed.

(SANDIPKUMAR C. MORE, J.)