Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 438 OF 2018

The State of Maharashtra & Anr. … Appellants

V/s.

Shivram Soma Mahale … Respondents

SHABNOOR AYUB PATHAN

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Mr. A.R. Patil, Additional G.P. for the appellants/ applicants.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 18, 2026

P.C.:

1. Learned Additional Government Pleader appearing for the State has placed reliance upon the Government Resolutions dated 3 November 2016, 11 May 2018 and 13 August 2018. Under the said Government Resolutions, the State Government has taken a policy decision that where the compensation enhanced by the Reference Court does not exceed four times the amount awarded by the Special Land Acquisition Officer, the first appeal filed by the State is liable to be withdrawn. The learned Additional Government Pleader submits that the present appeal falls within the scope of the said policy decision.

2. Upon perusal of the record and, in particular, the amount of compensation awarded by the Special Land Acquisition Officer and the enhanced amount granted by the Reference Court, it appears that the enhancement in the present case is within four times the

amount originally awarded by the Special Land Acquisition Officer. The case, therefore, falls within the parameters prescribed under the aforesaid Government Resolutions.

3. In view of the aforesaid position and the policy decision of the State Government contained in the Government Resolutions referred to hereinabove, the first appeal is permitted to be withdrawn and is accordingly disposed of as withdrawn.

4. The Court fee, if any, paid on the appeal shall be refunded to the appellant in accordance with the applicable Rules.

5. In view of the disposal of the first appeal, all pending interlocutory applications, if any, do not survive and are accordingly disposed of.

6. This order shall not be treated as a precedent.

(AMIT BORKAR, J.)