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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2085 OF 2015

IN

FIRST APPEAL (ST) NO. 33581 OF 2012

The State of Maharashtra and another ... Applicants

Versus

Shri Yashwant Rawaji Jadhav ... Respondent

WITH

FIRST APPEAL (ST) NO. 33581 OF 2012

.....
Mr. A.R. Patil, Additional Government Pleader for the State.
None for the Respondent.

.....
CORAM : ABHAY AHUJA, J.
DATE : 17 APRIL 2026

PC. :

1. When the matter is called out, Mr. Patil, learned Additional Government Pleader submits that he appears for the Appellant-State and that the Appeal pertains to acquisition with respect to Section 4 notification dated 27th May 2000, Section 11 award dated 30th May 2003 for the Unnayi Irrigation Dam Project.

2. Mr. Patil submits that in view of notifications dated 3rd November 2016, 11th May 2018 and 13th August 2018 of the State

Government (the “said notifications”), which the learned Additional Government Pleader tenders across the bar, the State has authority to withdraw an Appeal where the compensation as awarded or enhanced by the Reference Court is less than four times of the amount of compensation awarded by the Special Land Acquisition Officer (“SLAO”) and that this Court may consider passing similar order that has been passed by this Court, in the cases of *State of Maharashtra vs. Shri. Babu Rajaram Chavan, through LRs Rajaram Baburao Chavan and others*¹ and *The State of Maharashtra vs. Shri. Balu Narayan Chavan, through LRs Prakash Balu Chavan and others*² and the other orders passed subsequently by this Bench.

3. Mr. Patil submits that in the present Appeal, the SLAO had awarded amount of Rs.12,670/- in respect of the acquired land, whereas the Reference Court has enhanced the same to Rs.48,732/- and accordingly, on the basis of the said notifications, he has instructions to withdraw the said Appeal.

4. The First Appeal (st) No.33581 of 2012 is not on Board. Upon mentioning, the same is taken on Board.

5. In view of the said notifications and the orders of this Court in the cases of *State of Maharashtra vs. Shri. Babu Rajaram Chavan,*

1 Order dated 05th January 2026 passed in First Appeal No. 172 of 2011

2 Order dated 05th January 2026 passed in First Appeal No.173 of 2011

through LRs Rajaram Baburao Chavan and others (supra) and The State of Maharashtra vs. Shri. Balu Narayan Chavan, through LRs Prakash Balu Chavan and others (supra) and the other orders passed subsequently by this Bench, this Court allows the Appellant-State to withdraw the First Appeal.

6. The First Appeal accordingly stands disposed as withdrawn.
7. In view of the aforesaid withdrawal, the Civil Application to accordingly stand disposed.
8. Refund of Court fees as per rules.

(ABHAY AHUJA, J.)