



2026:BHC-AUG:21588

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CA/9699/2012 IN FAST/19713/2012

EXECUTIVE ENGINEER, LATUR MINOR IRRIGATION DIVISION, LATUR
VERSUS
THE STATE OF MAH AND ORS

...
Advocate for Applicant : Mr B.R. Surwase
AGP for Respondents: Mr.K.J.Ghute Patil
Advocate for Respondents 3-6 : Mr. V.G.Sakolkar

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CORAM : R. M. BORDE & V.K. JADHAV, JJ.

Dated: October 10, 2014

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PER COURT :-

1. We have perused the Judgment delivered by the Reference Court. The Reference Court has relied upon the sale instance in respect of 48R land which is alleged to have been sold for the amount of Rs.25,80,000/-. Any witness to prove the sale deed and depose about the distance of the land covered by the sale instance and acquired land, facilities available, and the situation of the land, whether the land covered by the sale instance is at proximate distance, has not been examined. The Reference Court appears to have determined the amount of compensation on hypothetical basis without there being adequate evidence placed on record by claimant. It is also not a matter of dispute that, purpose of acquisition of land is for submergence in Kalegaon Village Tank. Land in question is to the extent of 620R and the amount awarded is to the extent of Rs.14,000/- per Aar. The LAO in his award granted a sum of Rs.3,740/- per R. The enhancement is about five fold. In this view of the matter, we deem it appropriate to direct the Acquiring Body/Appellant to deposit the amount to the extent of 50% together with benefits receivable by the claimant under the Land Acquisition Act, in this Court. The amount shall be deposited within a period of **TEN WEEKS** from today. Interim relief to the operation and execution of the impugned award on condition of deposit of the amount as directed above.

(V.K. JADHAV, J.)

(R. M. BORDE, J.)

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aaa/-