

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

56 FIRST APPEAL NO.2065 OF 2012
WITH CA/15057/2016 IN FA/2065/2012

MANJULABAI MAHADEO HAKE AND ANR
VERSUS
THE STATE OF MAH AND ORS

Advocate for Appellants : Mr. H.B. Nandagavale h/f Mr. V.G.Sakolkar
AGP for Respondents No. 1 and 2 : Mr. S.P. Deshmukh
Advocate for Respondent No. 3 : D.V. Soman

CORAM : K.K. SONAWANE, J.

DATED : 3rd FEBRUARY, 2020.

ORDER :-

1. Heard learned counsel for parties. Perused the appeal memo and other relevant documents including impugned Judgment and Award passed by the learned trial Court. It appears that learned Reference Court dismissed the Reference Petition on the ground that claimants have failed to file the map to show the proximity of village Harangul, Arvi with the village Warwanti, where the acquired lands are situated. The Award passed by Reference Court is inadequate.
2. In view of circumstances on record, there are legal issues arguable in nature for detail hearing of the appeal on merit. Hence appeal ***Admit.***
3. Issue notice of final hearing of the appeal on merit to the respondents. Learned AGP waives service of notice on behalf of respondent Nos. 1 and 2 and Mr. Soman, learned counsel waives service of notice for respondent No. 3-Acquiring Body.
4. After compliance of procedural formalities, print, paper-book etc, list the appeal for final hearing on merit in due course.

**[K. K. SONAWANE]
JUDGE**