

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

FIRST APPEAL NO. 562 OF 2022

Vidarbha Irrigation Development Corporation, Yavatmal and anr.

Vs.

Sagarbai Dhanraj Rathod and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Mallika Babhulkar, Advocate for appellants.
Mr. S.G. Varshani, Advocate for respondent No.1.
Ms. Shamsi Haider, AGP for respondent Nos.2 & 3.

CORAM : ABHAY AHUJA, J.

DATE : 23.09.2022.

This is an appeal challenging judgment and order dated 01.10.2021, passed by the 4th Joint Civil Judge Senior Division, Yavatmal, in LAC No.100/2018, whereby the reference Court has granted enhanced compensation *inter alia*, on the claim of 200 orange trees which according to the learned counsel for the appellant was not claimed before the Land Acquisition Officer.

2. The learned counsel for the appellant has drawn attention of this Court to paragraph 21 of the impugned decision in support of her contention. She also submits that the reference Court has erred in relying upon the judgment in LAC No.73/2015, the

first appeal in respect thereof has already been admitted.

3. Mr. Varshani, learned counsel for the respondent/claimant has no objection, if the appeal is admitted.

4. Having heard the learned counsel for the appellant and having perused the impugned decision, the following order is passed.

ORDER

Admit.

2. Registry is directed to call for Record and Proceedings within a period of four weeks.

3. Private Paper book along with compilation of documents and evidence be filed within a period of four weeks thereafter.

4. Let the Private paper book be served on the respondents within a period of four weeks thereafter and an affidavit of service with tangible proof be filed in this Court by the next date.

5. List the matter on **05.12.2022**.

JUDGE