

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

FIRST APPEAL NO.1684 OF 2019

EXECUTIVE ENGINEER, LOWER WARDHA PROJECT DIVISION, WARDHA

Vrs.

SHRIDAS BAPURAO PATODE (ABATED) HARIDAS BAPURAO PATODE AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. K. Bhoyar, Advocate for appellant.
Shri V. B. Palorkar, Advocate for respondent No.2.
Shri N. G. Solao, Advocate for respondent Nos.5 to 8.
Shri M. A. Kadu, A. G. P for respondent Nos.9 and 10.

CORAM: ABHAY AHUJA, J.

DATED : 26/09/2022.

1. This is an appeal challenging the Judgment and decree passed by the Civil Judge, Senior Division, Achalpur in LAC No.234/2007 decided on 02/05/2016, whereby reference filed by respondent Nos.1 to 8 was allowed and enhanced compensation was granted.

2. Shri Bhoyar, learned counsel for the appellant would submit that the Reference Court has wrongly granted compensation of Rs.1,73,810/- for orange trees as Land Acquisition Officer has already granted the same. He would submit that there is no discussion in the award on the factor based on which the enhancement has been granted and as such, the Judgment of the Reference Court would need to be relooked and the order of Land Acquisition Officer could be upheld.

3. Shri V. B. Palorkar, learned counsel for respondent No. 2, Shri N. G. Solao, learned counsel for respondent Nos.5 to 8 and Shri M.A.Kadu, learned AGP for respondent Nos.9 and 10 have no objection, if the appeal is admitted.

4. Having heard the learned counsel for the appellant and having perused the grounds, the following order is passed :-

ORDER

5. **Admit.**

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

7. Let the private paper book be filed within a period of four weeks thereafter.

8. Let the private paper book be served on the respondents within a period of two weeks thereafter and an affidavit of service be filed in this Court by the next date.

9. List the matter on 19/12/2022.

[ABHAY AHUJA, J.]