

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 9538/2016

(Arising out of impugned final judgment and order dated 21-01-2015 in FA No. 1460/2013 passed by the High Court of Judicature at Bombay at Aurangabad)

WALMIK NARAYAN KATKADE & ORS.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

WITH

SLP(C) No. 29555/2016 (IX)

Date : 29-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Sachin Patil, Adv.
Mr. Sanjay Kharde, Adv.
Mr. Samrat Shinde, Adv.
Mr. Sant Dharamveer Chotiwala, Adv.
Mr. Sunil Kumar Verma, AOR

For Respondent(s) Mr. Nishant Ramakantrao Katneshwarkar, AOR
Mr. Anoop Kandari, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeals are allowed in terms of signed order.

(NEETA SAPRA)
PERSONAL ASSISTANT
(Signed order is placed on the file)

(DIPTI KHURANA)
COURT MASTER (NSH)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL 9116 OF 2019

(Arising out of Special Leave Petition (Civil) No. 9538 of 2016)

WALMIK NARAYAN KATKADE & ORS. APPELLANT (S)

VERSUS

THE STATE OF MAHARASHTRA & ANR. RESPONDENT(S)

WITH

CIVIL APPEAL 9117 OF 2019

(Arising out of Special Leave Petition (Civil) No. 29555 of 2016)

SANT SADGURU JANARDAN SWAMI (MAUNGIRI)
MAHARAJ SRI KASHI VISHWANATH MAHADEO
TRUST AND ORS. APPELLANT (S)

VERSUS

THE STATE OF MAHARASHTRA AND ANR. RESPONDENT (S)

O R D E R

Leave granted.

The Land Acquisition Officer had granted compensation of Rs.4,88,792/- which has been enhanced by the Reference Court under Section 18 of the Land Acquisition Act, 1894 to Rs.5,78,600/-. The compensation has been further enhanced by the High Court to Rs.10,00,000/- Per Hectare. We are satisfied that the Reference Court rightly relied upon Exhibit 27 as an exemplar sale deed. But, we are also satisfied in the nature of the acquisition for a National Highway that the deduction of 75% ordered is excessive. The acquisition is not for the purpose of residential areas

which requires substantial funds for investment and development. We, therefore, consider it proper to reduce the deduction from 75% to 25%.

The appeals are allowed only to the aforesaid extent.

..... J.
[NAVIN SINHA]

..... J.
[KRISHNA MURARI]

NEW DELHI;
NOVEMBER 29, 2019