

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

(1) FIRST APPEAL NO. 1351 OF 2009

Raosaheb s/o Marotrao Late,
age: 40 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(2) FIRST APPEAL NO. 2632 OF 2009

Abasaheb s/o Maroti Late,
(deceased), through L. Rs.:

01 Gangubai Abasaheb Late,
age: 60 years, Occ: Household;

02 Mira w/o Rajebhau Kasthe,
age: 30 years, Occ: Household;

03 Ganesh s/o Abasaheb Late,
age: 40 years, Occ: Agril.,

04 Rajebhau s/o Abasaheb Late,
age: 35 years, Occ: Agril.;

All R/o Deola, Tq. Mantha,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
(Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anant D. Gadekar, advocate for Respondent No.3.

AND

(3) FIRST APPEAL NO. 1411 OF 2009

Gulabrao s/o Baburao Late,
(died), through L. Rs.:

1/1 Archana w/o Gulabrao Late,
age: 65 years, Occ: Household,

R/o Deola, Tq. Partur,
District Jalna.

1-2 Pralhad s/o Gulabrao Late,
age: 40 years, Occ: Agri.,
R/o Deola, Tq. Partur,
District Jalna.

1/3 Rama s/o Gulabrao Late,
age: 35 years, Occ: Agri.,
R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(4) FIRST APPEAL NO. 1352 OF 2009

Rama s/o Aba Late,
age: 23 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(5) FIRST APPEAL NO. 1393 OF 2009

Pandurang s/o Kishanrao Late,
age: 55 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
(Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,

Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(6) FIRST APPEAL NO. 2695 OF 2009

Aba s/o Nivrutti Late,
age: 46 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, (Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(7) FIRST APPEAL NO. 1388 OF 2009

Satyanarayan s/o Dashrath Zanwar,
age: 53 years, Occ: Agril.,

R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(8) FIRST APPEAL NO. 1389 OF 2009

Dashrath s/o Shaligram Zanwar
(deceased) through L. Rs.

A) Mathurabai w/o Dashrath Zanwar
(deceased) through L.Rs. At B & C.

B) Satyanarayan s/o Dashrath Zanwar,
age: 53 years, Occ: Agril;

C) Jainarayan s/o Dashrath Zanwar,
age: 42 years, Occ: Agril.,

All R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(9) FIRST APPEAL NO. 1390 OF 2009

Sahebrao s/o Namdeorao Late
(died) through L. Rs.:

1 Sarubai Sahebrao Late

Deleted vide Court's
order dt.13.12.2022.

2 Asaram s/o Sahebrao Late,
age: 55 years, Occ: Agril.,

3 Mahadeo s/o Sahebrao Late,
age: 50 years, Occ: Agril.,

All R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,

through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(10) FIRST APPEAL NO. 1391 OF 2009

1 Asaram s/o Sahebrao Late,
age: 40 years, Occ: Agril.,

2 Mahadeo s/o Sahebrao Late,
age: 35 years, Occ: Agril.;

Both R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,

Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(11) FIRST APPEAL NO. 327 OF 2023

Uddhav Dnyanoba Late,
age: 50 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. Jalna,
having his office at
Collector Office, Jalna.

03 Executive Engineer,
Nimna Dudhana Project,
having his office at Jayakwadi,
Selu, Tq. Selu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. A. B. Chate, AGP for Respondents No.1 and 2.
Mr. Anant D. Gadekar, advocate for Respondent No.3.

AND

(12) FIRST APPEAL NO. 2452 OF 2010

1 Dnyanoba s/o Yellappa Late,
(died) through L. Rs.

1/1 Parubai w/o Dnyanoba Late
(died) L.Rs. Are already on
record.

1-2 Devidas s/o Dnyanoba Late,
age: 55 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

1/3 Asaram s/o Dnyanoba Late,
age: 45 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

2 Devidas s/o Dnyanoba Late,
age: 55 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. Jalna,

03 Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(13) FIRST APPEAL NO. 508 OF 2021

Abasaheb s/o Dnyandeo Late
(died) through L. Rs.

- 1 Mandodari Abasaheb Late,
age: 65 years, Occ: Agril.;
- 2 Janardhan Abasaheb Late,
age: 42 yers, Occ: Agril;
- 3 Bhagwan Abasaheb Late,
age: 38 years, Occ: Agril;

R/o village Deola, Tq. Partur,
District Jalna.

Appellants

Versus

- 01 State of Maharashtra,
through the Collector,
Jalna.
- 02 Special Land Acquisition
Officer, M. I. W. Jalna,
Now the Sub Divisional Officer,
Partur.
- 03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani. Since
this department is abolished -
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. And
District Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. A. B. Chate, AGP for Respondents No.1 and 2.
Mr. S. C. Arora, advocate for Respondent No.3.

AND
(14) FIRST APPEAL NO. 122 OF 2023

1) Ganesh Haribhau Late (died)
through L. Rs.:

1 Dwarkabai Ganeshrao Late,
age: 70 years, Occ: Agril.,

2 Muktiram Ganeshrao Late,
age: 40 years, Occ: Agril;

3 Rameshwar Ganeshrao Late,
age: 33 years, Occ: Agril.,

2) Appasaheb Haribhau Late,
age: major, Occ: Agril;

All R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 State of Maharashtra,
through the Collector,
Jalna, having his office
at Collector office, Jalna.

02 Special Land Acquisition
Officer, M. I. W. Jalna,
Tq. and District Jalna.

03 Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since
this department is abolished -

at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. S. W. Munde AGP for Respondents No.1 and 2.
Mr. S. C. Arora, advocate for Respondent No.3.

AND

(15) FIRST APPEAL NO. 2679 OF 2022

Raghunath Laxmanrao Late (died)
through L. Rs.:

1 Sopan s/o Raghunath Late,
age: 19 years, Occ: Agril.,
R/o Village Deola,
Tq. Partur, District Jalna.

2 Muktabai w/o Raghunath Late,
age: 50 years, Occ: Agril;
R/o Village Deola,
Tq. Partur, District Jalna.

Appellants

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna,

03 Executive Engineer,
Nimna Dudhana Project, Selu,
District Parbhani, Since
this department is abolished -

at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. A. B. Chate, AGP for Respondents No.1 and 2.
Mr. M. C. Swami, advocate for Respondent No.3.

AND

(16) FIRST APPEAL NO. 3819 OF 2022

Ranjit s/o Dnaynoba Late,
age: 39 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna,
Tq. and District Jalna.

03 The Executive Engineer,
Lower Dudhana Project,
Sailu Division, at present
Motibag, Jalna, District
Jalna.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

AND

(17) FIRST APPEAL NO. 3824 OF 2022

Dnyanoba s/o Narayan Late,
age: 70 years, Occ: Agril.,
All R/o Devla, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna,
Tq. and District Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Sailu Division, at present
Motibag, Jalna, District Jalna.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

AND

(18) FIRST APPEAL NO. 507 OF 2021

Madan Dnyanoba Magar,
age: major, Occ: Agril.,
R/o village Devla, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna,
Tq. and District Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since
this department is abolished -
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. W. Munde, AGP for Respondents No.1 and 2.
Mr. S. C. Arora, advocate for Respondent No.3.

AND

(19) FIRST APPEAL NO. 515 OF 2021

1) Kundlikrao Damodhar Late (died)
through L. Rs.:

1 Jijabai Kundlikrao Late,
age: major, Occ: Agril.,

2 Sitaram Kundlikrao Late,
age: major, Occ: Agril;

Both R/o Deola, Tq. Partur,
District Jalna.

Appellants

Versus

01 The State of Maharashtra,
through the Collector,
Jalna

02 The Special Land Acquisition
Officer, M. I. W. Jalna. Now
the Sub Divisional Officer,
Partur.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since
this department is abolished -
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. S. C. Arora, advocate for Respondent No.3.

AND

(20) FIRST APPEAL NO. 506 OF 2021

Abasaheb Shamrao Late,
age: 60 years, Occ: Agril.,
R/o Village Deola,
Tq. Partur, District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna

02 The Special Land Acquisition
Officer, Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since
this department is abolished -

at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. S. C. Arora, advocate for Respondent No.3.

AND

(21) FIRST APPEAL NO. 1122 OF 2018

Tulshiram Rakhmaji Pachare
(died) through L. Rs.:

- 1) Gayabai Tulshiram Pachare,
age: 70 years, Occ: Agril;
- 2) Pandit Tulshiram Pachare,
age: 45 years, Occ: Agril.;
- 3) Dinesh Tulshiram Pachare,
age: 43 years, Occ: Agril;
- 4) Tukaram Tulshiram Pachare,
age: 41 years, Occ: Agril;
- 5) Shivaji Tulshiram Pachare,
age: 35 years, Occ: Agril.;

All R/o village Deola,
Taluka Mantha, District Jalna.

Appellants

Versus

01 The State of Maharashtra,
through the Collector,
Jalna, having his office at
Collector, Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna, having
his office at Collector office,
Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since
this department is abolished -
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. S. P. Sonpawale, advocate for Respondent No.3.

AND

(22) FIRST APPEAL NO. 3849 OF 2016

Bapu Anna Late,
age: 59 years, Occ: Agril,
R/o village Devla, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna, Tq. & District Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani, Since

this department is abolished -
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. & District
Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. W. Munde, AGP for Respondents No.1 and 2.
Mr. S. B. Patil, advocate for Respondent No.3.

AND

(23) FIRST APPEAL NO. 211 OF 2013

Vasant s/o Ashruba Late,
age: major, Occ: Agriculture,
R/o at Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W. Jalna.

03 The Executive Engineer,
Nimna Dudhana Project Selu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. Anant D. Gadekar, advocate for Respondent No.3.

AND

(24) FIRST APPEAL NO. 55 OF 2010

Kausalyabai w/o Dnyanoba Late,
age: 60 years, Occ: Household,
R/o Deola, Tq. Partur, Dist. Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, M. I. W.,
Nimna Dudhana Project,
Collector office, Jalna.

03 The Executive Engineer,
Nimna Dudhana Project.
Sailu Division, Sailu,
Dist. Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chawre, advocate for Respondent No.3.

AND

(25) FIRST APPEAL NO. 315 OF 2019

Shriram s/o Shivnarayan Zanwar,
age: 45 years, Occ: Agril,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, (MIW), Jalna,
Tq. & District Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Sailu, District Parbhani

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. H. T. Gaikwad, advocate for Respondent No.3.

AND
(26) FIRST APPEAL NO. 228 OF 2019

Balaprasad s/o Shivnarayan Zanwar,
age: 55 years, Occ: Agril,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna.

02 The Special Land Acquisition
Officer, (MIW), Jalna,
Tq. & District Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Sailu, District Parbhani

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. H. T. Gaikwad, advocate for Respondent No.3.

AND
(27) FIRST APPEAL NO. 3851 OF 2016

Gulab Babasaheb Late,
age: 46 years, Occ: Agril,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 The State of Maharashtra,
through the Collector,
Jalna, Tq. & District Jalna.

02 The Special Land Acquisition
Officer, (MIW), Jalna,
Tq. & District Jalna.

03 The Executive Engineer,
Lower Dudhana Project Division,
Selu, District Parbhani. Since
this department is abolished at
present, Jalna Irrigation Department,
Jalna, Office at Motibagh, Jalna,
Tq. & District Jalna.

Respondents

Mr. D. M. Kakade, advocate for the Appellant
Mr. A. B. Chate, AGP for Respondents No.1 and 2.
Mr. Anant D. Gadekar, advocate for Respondent No.3.

AND
(28) FIRST APPEAL NO. 1394 OF 2009

Madhukar s/o Dattatraya Misal,
age: 27 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, (Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. Anand P. Chawre, advocate for Respondent No.3.

AND

(29) FIRST APPEAL NO. 1452 OF 2009

Gangadhar s/o Ganpatrao Late,
(deceased) through L. R.:
Raosaheb s/o Gangadhar Late,
age: 46 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, (Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,

Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(30) FIRST APPEAL NO. 1401 OF 2009

Babasaheb s/o Gangadharrao Late,
age: 34 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, M. I. W. at Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(31) FIRST APPEAL NO. 1454 OF 2009

Laxman s/o Shivram Awalwad,
age: 35 years, Occ: Agril.,
R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, (Krishna Khore), Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(32) FIRST APPEAL NO. 1713 OF 2009

Dnyanoba s/o Eknathrao Pitale,
(died) through L. Rs.:

1 Gayabai w/o Dnyanoba Pitale,
age: 67 years, Occ: Agril;

2 Udhav s/o Dnyanoba Pitale,
age: 48 years, Occ: Agril;

3 Pandharinath Dnyanoba Pitale;
age: 38 years, Occ: Agril;

4 Babasaheb Dnyanoba Pitale,
age: 65 years, Occ: Agril;

All R/o Deola, Tq. Partur,
District Jalna.

Appellant

Versus

01 State of Maharashtra,
through the Collector,
Jalna.

02 Special Land Acquisition
Officer, (MIW), Jalna,
Tq. & District Jalna.

03 Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District Parbhani.

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(33) FIRST APPEAL NO.1714 OF 2009

Kishanrao s/o Eknathrao Pitale,
Deceased through L.R.'s

1. Vishwanath s/o Kishanrao Pitale,
Age : 70 years, Occu.: Agril.,
2. Ambadas s/o Kishanrao Pitale,
Age : 68 years, Occu.: Agril.,
3. Gulab s/o Kishanrao Pitale,
Age : 65 years, Occu.: Agril.,

All R/o.: Kedar Wakadi, Tq. Mantha,

District : Jalna

Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(MIW) Jalna, Tq. & Dist. Jalna
3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(34) FIRST APPEAL NO.1864 OF 2009

Babu s/o Namdeorao Late,
Age : 40 years, Occu.: Agril.,
R/o.: Deloa, Tq. Partur,
District : Jalna

Appellant

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chawre, advocate for Respondent No.3.

AND
(35) FIRST APPEAL NO.2217 OF 2009

Dhondiba s/o Eknath Pitale
(died), through L. Rs.:

1. Muktabai w/o Tukaram Choure,
Deceased through L.R's
- 1-A) Mugaji s/o Tukaram Choure,
Age : 65 years, Occu.: Agril.,
- 1-B) Manjiram s/o Tukaram Choure,
Age : 55 years, Occu.: Agril.,
- Both r/o.: Gohegaon, Tq. Sailu,
District : Parbhani
2. Satyabhama w/o Punjaram Dugane,
Age : 40 years, Occu.: Housewife,
R/o.: Mapegaon, Tq. Partur,
District : Jalna
3. Kachru w/o Dhondiba Pitle,
Age : 40 years, Occu.: Agril.,
R/o.: Kedar Wakadi, Tq. Partur,
District : Jalna.

Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(M.I.W.) Jalna,

Tq. & Dist. Jalna

3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. S. N. Kendre, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(36) FIRST APPEAL NO.2630 OF 2009

Balasaheb s/o Bhaurao Late,
Age : 35 years, Occu.: Agril.,
R/o.: Deloa, Tq. Partur,
District : Jalna Appellant

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(37) FIRST APPEAL NO.2631 OF 2009

Datta s/o Namdeo Misal,
Age : 55 years, Occu.: Agril.,
R/o.: Deloa, Tq. Partur,
District : Jalna

Appellant

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(38) FIRST APPEAL NO.2693 OF 2009

Bhagwan s/o Dnyanoba Late,
Age : 20 years, Occu.: Agril.,
R/o.: Deloa, Tq. Partur,
District : Jalna

Appellant

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna

3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(39) FIRST APPEAL NO.2694 OF 2009

1. Abasaheb s/o Sopan Jadhav,
Age : 25 years, Occu.: Agril.,
 2. Pralhad s/o Sopan Jadhav,
Age : 30 years, Occu.: Agril.,
- Both R/o.: R/o.: Deloa, Tq. Partur,
District : Jalna Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
M.I.W. Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(40) FIRST APPEAL NO.682 OF 2010

Vimalbai w/o Abasaheb Late,
Deceased through L.R.'s

Gajanan s/o Anantrao Golekar,
Age : 28 years, Occu.: Agril.,
R/o.: Purushottampuri, Tq. Majalgaon,
District : Beed Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(M.I.W.) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND**(41) FIRST APPEAL NO.2451 OF 2010**

Baburao s/o Manoharrao Kulkarni,
Died through LR's

1. Smt. Ratnaprabha w/o Baburao Kulkarni
(Deleted)
2. Pradeep s/o Baburao Kulkarni,
Age : 42 years, Occu.: Service,
3. Jankiram s/o Baburao Kulkarni,

Age : 36 years, Occu.: Service,

4. Manohar s/o. Baburao Kulkarni,
Age : 36 years, Occu.: Service,
5. Pramod s/o. Baburao Kulkarni,
Age : 32 years, Occu.: Business,
6. Praveen s/o. Baburao Kulkarni,
Age : 30 years, Occu.: Service,

All R/o.: Sailu, Taluka : Sailu,
District : Parbhani

Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(MIW) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(42) FIRST APPEAL NO.77 OF 2012

Manik s/o Dnyanoba Late,
Age : 32 years, Occu.: Agril.,
R/o.: Deloa, Tq. Partur,
District : Jalna

Appellant

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
 2. Special Land Acquisition Officer,
M.I.W. Jalna,
Tq. & Dist. Jalna
 3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai
- Respondents

Mr. P. R. Kadam, advocate for the Appellant
Mr. B. V. Virdhe, for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND

(43) FIRST APPEAL NO.1353 OF 2009

Dnyanoba s/o Hari Late,
Deceased through : L.R.'s

1. Kausalyabai w/o Dnyanoba Late,
Age : 60 years, Occu.; Household,
R/o.: Chincholi, Tq. Partur, Dist. Jalna
2. Bhagwan s/o Dnyanoba Late,
Age : 35 years, Occu.: Household,
3. Mahadev s/o Dnyanoba Late,
Age : 28 years, Occu.: Household,

R/o.: Chincholi, Tq. Partur,
District : Jalna

Appellants

VERSUS

1. State of Maharashtra

Through : The Collector, Jalna

2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(44) FIRST APPEAL NO.2692 OF 2009

Sakhubai w/o Hari Late,
Deceased : Through L.R.'s

- A) Dnyanoba s/o Haribhau Late
Deceased : Through : L.R.'s
- A-1. Kausalyabai w/o Dnyanoba Late,
Age : 60 years, Occu.; Household,
R/o.: Chincholi, Tq. Partur, Dist. Jalna
- A-2. Bhagwan s/o Dnyanoba Late,
Age : 35 years, Occu.: Agril.,
R/o.: Chincholi, Tq. Partur,
District : Jalna
- A-3. Mahadev s/o Dnyanoba Late,
Age : 28 years, Occu.: Agril.,
R/o.: Chincholi, Tq. Partur,
District : Jalna
- B. Shankark s/o Haribhau Late,
Age : 60 years, Occu.: Agril.,

R/o.: Deloa, Tq. Partur, Dist. Jalna Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(M.I.W.) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

AND

(45) FIRST APPEAL NO.464 OF 2022

Bhau s/o Namdev Late
Deceased : Through L.R.'s

1. Balasaheb s/o Bhaurao late,
Age : 65 years, Occu.: Agril.,
2. Rambhau s/o Bhaurao Late,
Age : 50 years, Occu.: Agril.,
3. Dhnyaneshwar s/o Sonaji Late,
Age : 21 years, Occu.: Agril.

All R/o.: Deola, Tq. Partur,
District : Jalna Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
 2. Special Land Acquisition Officer,
M.I.W. Jalna, Tq. & Dist. Jalna
 3. Executive Engineer,
Lower Dudhana Project,
Sailu Division, Sailu,
Now at present : Near Motibag,
Jalna, District : Jalna
- Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. S. W. Munde, AGP for Respondents No.1 and 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

AND
(46) FIRST APPEAL NO.1453 OF 2009

Bapu s/o Kundalikrao Misal,
Deceased : Through L.R.'s

1. Pandit s/o Bapurao Misal,
Age : 50 years, Occu.: Agril.,
2. Ankush s/o Vithalrao Misal,
Age : 30 years, Occu.: Agril.,

Both R/o.: Deola, Tq. Partur,
District : Jalna

Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(Krishna Khore) Jalna,
Tq. & Dist. Jalna

3. Executive Engineer,
Nimna Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Anand P. Chaware, advocate for Respondent No.3.

AND
(47) FIRST APPEAL NO.402 OF 2019

1. Rambhau @ Ramdas s/o Ganpat Kamble
Age : 60 years, Occu.: Agril.,
2. Bhima s/o Ganpat Kamble,
Since died, through his L.R.'s
- 2-A) Rukhmin wd/o Bhimrao Kamble
Age : 54 years, Occu.: Household,
- 2-B) Ashok s/o Bhimrao Kamble,
Age : 26 years, Occu.: Agril.,
- 2-C) Ganesh s/o Bhimrao Kamble,
Age : 23 years, Occu.: Agril.,

All R/o.: Devla, Tq. Partur,
District : Jalna

Appellants

VERSUS

1. State of Maharashtra
Through : The Collector, Jalna
2. Special Land Acquisition Officer,
(M.I.W.) Jalna,
Tq. & Dist. Jalna
3. Executive Engineer,

Lower Dudhana Project,
Sailu Division, Sailu,
District : Parbhanai

Respondents

Mr. P. R. Kadam, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 and 2.
Mr. Ram B. Deshpande, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th February, 2023.

ORAL JUDGMENT :

1 First Appeal No.55 of 2010 is not on board. Taken on board on the request of learned Counsel for the appellant.

2 All these appeals are preferred by the respective appellants, who are the original claimants for seeking enhancement of compensation amounts awarded by the learned District Judge, Jalna (herein after referred to as “the learned Reference Court”) under the respective judgments.

3 The subject lands, in all these appeals, which are situated at village Deola, are acquired by the Government for Lower Dudhana Project at Village Kedarwadi, Taluka Mantha, District Jalna, vide Notification dated 14.07.1995, issued

under Section 4(1) of the Land Acquisition Act.

4 The learned Counsel for respective appellants as well as respective learned Counsel for the acquiring body, in all these appeals, made a joint submission before this Court on 02nd February, 2023, that all these appeals can be disposed of in view of the order dated 19th August, 2022, passed by this Court in First Appeal No. 1958 of 2018 with First Appeal No. 2485 of 2016.

5 On perusal of the aforesaid order, it appears that this Court has relied upon certain earlier orders in the appeals, arising out of the same acquisition, which were settled before the *Lok Adalat* with an agreement between the rival parties on the rate of Rs.2400/- per Are in respect of dry lands.

6 The learned Counsel for respective appellants and respective learned Counsel for acquiring body, in all these appeals, also made a joint submission that some of the other

connected matters, arising out of the same acquisition, were settled before the *Lok Adalat* and the rate of Rs.3600/- per Are was granted for semi-irrigated lands and Rs.4800/- was granted for fully irrigated lands. Thus, it appears that, learned Counsel for respective appellants as well as learned Counsel for acquiring body, in all these appeals, are in agreement, for following rates as per the specification of the lands:

Classification	Rate
Dry Lands	Rs.2400/- per are
Semi-irrigated Lands	Rs.3600/- per are
Fully Irrigated Lands	Rs.4800/- per are
<i>Potkharab</i> lands	Rs.1200/- per are

7 The learned Counsel for respective parties, in all these appeals, submit that they are fully in agreement with the observation of the learned Reference Court in respect of classification/categorization of the lands in the impugned judgments.

8 In view of the same, following order is passed:

(A) In all these appeals, respective appellants-claimants shall be entitled for the rate of compensation as agreed between themselves and the acquiring body, which is as follows:

Classification	Rate
Dry Lands	Rs.2400/- per are
Semi-irrigated Lands	Rs.3600/- per are
Fully Irrigated Lands	Rs.4800/- per are
<i>Potkharab</i> lands	Rs.1200/- per are

(B) The appellants-claimants shall also be entitled to get interest under Sections 28 and 34 of the Land Acquisition Act, 1894, from the respective dates of awards passed by the Special Land Acquisition Officer.

(C) The appellants-claimants shall be entitled to get interest @12% per annum as a special component from the date of Notification under Section 4(1) of the Land Acquisition Act, 1894, till the date of passing respective awards by the Special

Land Acquisition Officer, as per Section 23 (1A) of the Act.

(D) The appellants-claimants shall also be entitled to get 30% solatium on the difference of market value under Section 23(2) of the Land Acquisition Act, 1894.

(E) The awards be modified accordingly.

(F) The appeals are accordingly disposed of. No order as to costs.

(G) Pending Civil Applications, if any, stand disposed of.

(H) Liberty to pay deficit Court fee, if any, within two weeks after it is computed by the office.

(I) Record and Proceedings be sent back to the Reference Court.

(SANDIPKUMAR C. MORE)
JUDGE