

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

(1) FIRST APPEAL NO. 649 OF 2013

01 Dattatraya s/o Rambhau Late,
age: major, Occ: Agriculture,
R/o Deola, Taluka Partur,
District Jalna.

02 Jijabai w/o Rambhau Late,
age: major, Occ: Agriculture,
R/o As above.

Appellants

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 Dudhna Project, Selu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH

(2) FIRST APPEAL NO. 1791 OF 2015

Gangubai Abasaheb Late,
age: 53 years, Occ: Agril.,
R/o Deola, Taluka Partur,
District Jalna.

Appellant

Versus

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

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

03 The Executive Engineer,
Lower Dudhna Project, Sailu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. R. C. Patil, advocate for Respondent No.3.

WITH
(3) FIRST APPEAL NO. 2844 OF 2016

Babasaheb Sadashiv Navle,
age: 60 years, Occ: Agriculture,
R/o Kedarwakadi, Tq. Mantha,
District Jalna.

Appellant

Versus

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

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

03 The Executive Engineer,
Lower Dudhna Project, having
his office at Selu, Tq. Selu,
District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(4) FIRST APPEAL NO. 3148 OF 2013

01 Trimbak Sakharam Late,
age: 66 years, Occ: Agriculture,
R/o PlotNo. 74, Shivkrupa Niwas,
(Shikshak Colony), Sarvodaya
Nagar, Selu, Tq. Selu,
District Parbhani.

02 Kamal Trimbak Late,
age: 62 years, Occ: Agriculture,
R/o As above.

Appellants

Versus

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

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

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

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(5) FIRST APPEAL NO. 3146 OF 2013

Uttam Namdeo Misal,
age: 55 years, Occ: Agriculture,
R/o Deola, Taluka, Partur,
District Jalna.

Appellant

Versus

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

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

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

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(6) FIRST APPEAL NO. 1877 OF 2014

01 Udhav Sakharam Late,
age: 50 years, Occ: Agriculture,
R/o Deola, Tq. Partur,
District Jalna.

02 Trimbak Sakharam Late,
age: 58 years, Occ: Agriculture,

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

Appellants

Versus

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

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

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

Respondents

Mr. D. M. Kakade, advocate for the Appellants

Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.

Mr. B. R. Surwase, advocate for Respondent No.3.

WITH

(7) FIRST APPEAL NO. 1880 OF 2014

Sakharam Tanhoba Late (Died Through Lrs')

1 Udhav Sakharam Late,
Age : 50 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna

2. Trimbak Sakharam Late,
Age : 58 years, Occ. : Agriculture,
R/o. : as above

Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector office at Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
Having his office at Collector office, Jalna,
3. The Executive Engineer,
Nimna Dudhna Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

WITH

(8) FIRST APPEAL NO. 1848 OF 2014

1. Parubai Abasaheb Late,
Age : 80 years, Occ. : Agriculture,
R/o. : Kharba, Tq. Manwat, Dist. Parbhani
2. Abasaheb Raibhan Late (Died Through Lrs')
- 2/1. Smt. Parubai Abasaheb Late,
Age : 80 years, Occ. : Agriculture,
R/o. : Kharba, Tq. Manwat,
Dist. Parbhani
- 2/2. Raosaheb Babasaheb Late,
Age : 48 years, Occ. : Agriculture,
R/o. : as above
- 2/3. Smt. Sumanbai Babasaheb Late,
Age : 58 years, Occ. : Agriculture,
R/o. : as above Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector office at Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
Having his office at Collector office, Jalna,
3. The Executive Engineer,
Nimna Dudhna Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

WITH
(9) FIRST APPEAL NO. 2261 OF 2012

Tulsabai Tatyerao Late (Died)
Through L.R.'s

1. Kushiwartabai Rambhau Bidwe,
Age : Major, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna
2. Laxman Rambhau Bidwe,
Age : Major, Occ. : Agriculture,
R/o. : as above Appellants

Versus

1. The State of Maharashtra,
Through Collector, Jalna, Dist. Jalna

2. The Special Land Acquisition Officer,
(M.I.W.) Jalna,
Tq. and Dist. Jalna,
 3. The Executive Engineer,
Nimna Dudhana Project, Sailu,
Division Sailu, Dist. Parbhani
- Respondents

Mr. K. B. Jadhav, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(10) FIRST APPEAL NO. 2263 OF 2012

1. Laxman Rambhau Bidwe,
Age : 41 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna,
At present Satona (Bk.)
Tq. Partur, Dist. Jalna
 2. Suresh Rambhau Bidwe,
Age : 45 years, Occ. : Agriculture,
R/o. : as above
- Appellants

Versus

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

Dist. Parbhani

Respondents

Mr. K. B. Jadhav, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(11) FIRST APPEAL NO. 2265 OF 2012

1. Ramprasad Uttam Late,
Age : 34 years, Occ. : Agriculture,
R/o. : Deola, Tq. Mantha,
Dist. Jalna Appellant

Versus

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

Mr. K. B. Jadhav, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(12) FIRST APPEAL NO. 1846 OF 2014

1. Bhau Baba Late,
Age : 50 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna,
Having his office at Collector Office, Jalna
3. The Executive Engineer,
Nimna Dudhana Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

WITH
(13) FIRST APPEAL NO. 2260 OF 2012

1. Ranjit Uttam Late,
Age : 28 years, Occ. : Agriculture,
R/o. : Deola, Tq. Mantha,
Dist. Jalna Appellant

Versus

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

Sailu, Division Sailu,
Dist. Parbhani

Respondents

Mr. K. B. Jadhav, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(14) FIRST APPEAL NO. 2264 OF 2012

1. Uttam Narayan Late,
Age : 65 years, Occ. : Agriculture,
R/o. : Deola, Tq. Mantha,
Dist. Jalna Appellant

Versus

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

Mr. K. B. Jadhav, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(15) FIRST APPEAL NO. 2034 OF 2014

Dattarao Vyantakrao Late (Through LRs')

1. Mankarnabai Dattarao Late,
Age : 75 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna
 2. Bharat Dattarao Late,
Age : 55 years, Occ. : Agriculture,
R/o. : as above
 3. Uddhav Dattarao Late,
Age : 52 years, Occ. : Agriculture,
R/o. : as above
 4. Atmarao Dattarao Late,
Age : 45 years, Occ. : Agriculture,
R/o. : as above
- Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector Office, Jalna
 2. The Special Land Acquisition Officer,
M.I.W. Jalna
Having his office at Collector Office, Jalna
 3. The Executive Engineer,
Nimna Dudhana Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani
- Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. B. R. Surwase, advocate for Respondent No.3.

WITH
(16) FIRST APPEAL NO. 1323 OF 2013

1. Pralhad Gulabrao Late,
Age : Major, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through Collector, Jalna
2. The Special Land Acquisition Officer,
M.I.W., Jalna, Dist. Jalna
3. The Executive Engineer,
Nimna Dudhna Project, Selu,
Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(17) FIRST APPEAL NO. 2372 OF 2012

1. Ram Anna Late,
Age : Major, Occu. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
3. The Executive Engineer,
Nimna Dudhana Project, Selu,
Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(18) FIRST APPEAL NO. 1158 OF 2013

1. Rakhmabai Ahelaji Late,
 Age : Major, Occ. : Agriculture,
 R/o. : Deola, Tq. Partur,
 Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
 Through Collector, Jalna
2. The Special Land Acquisition Officer,
 M.I.W., Jalna
3. The Executive Engineer,
 Nimna Dudhna Project, Selu,
 Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(19) FIRST APPEAL NO. 1156 OF 2013

1. Janardhan Bhimrao Late,
 Age : Major, Occ. : Agriculture,
 R/o. : Deola, Tq. Partur,
 Dist. Jalna Appellant

Versus

1. The State of Maharashtra,

Through Collector, Jalna
Dist. Jalna

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

3. The Executive Engineer,
Nimna Dudhna Project, Selu,
Dist. : Parbhani

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(20) FIRST APPEAL NO. 865 OF 2013

1. Rohidas Maroti Jogdand,
Age : Major, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna

Appellant

Versus

1. The State of Maharashtra,
Through Collector, Jalna,
Jalna

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

3. The Executive Engineer,
Nimna Dudhna Project, Selu,
Dist. Parbhani

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(21) FIRST APPEAL NO. 4306 OF 2017

1. Uttam Narayan Chaval,
Age : 42 years, Occ. : Agriculture,
R/o. : village Wanjola, Tq. Mantha,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
Jalna
3. The Executive Engineer,
Lower Dudhana Project Division, Selu,
Dist. Parbhani
Since, this Department Abolished
(at present Jalna Irrigation
Department, Jalna, *office at Motibagh,*
Jalna, Tq. and Dist. Jalna) Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(22) FIRST APPEAL NO. 4309 OF 2017

1. Guna Ashroba Late,
Age : Major, Occ. : Agriculture,
R/o. : village Devla, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W., Jalna
3. The Executive Engineer,
Lower Dudhana Project Division, Selu,
Dist. Parbhani
Since, this Department Abolished
(at present Jalna Irrigation
Department, Jalna, *office at Motibagh,*
Jalna, Tq. and Dist. Jalna) Respondents

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(23) FIRST APPEAL NO. 4304 OF 2017

1. Ganesh Uddhavrao Late,
Age : 38 years, Occ. : Agriculture,
R/o. : village Devla, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W., Jalna
3. The Executive Engineer,
Lower Dudhana Project Division, Selu,
Dist. Parbhani
Since, this Department Abolished

(at present Jalna Irrigation
Department, Jalna, *office at Motibagh,
Jalna, Tq. and Dist. Jalna*) Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(24) FIRST APPEAL NO. 3850 OF 2016

1. Kailash Appa Late,
Age : 36 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Tq. and Dist. Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
3. The Executive Engineer,
Lower Dudhana Project, Selu,
Dist. Parbhani,
Since this Department is abolished
at present Jalna Irrigation
Department, Jalna, Office at
Motibagh, Jalna, Tq. and
Dist. Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(25) FIRST APPEAL NO. 3853 OF 2016

1. Sampat Nivrutti Late,
Age : 61 yeas, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Tq. and Dist. Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
3. The Executive Engineer,
Lower Dudhana Project, Selu,
Dist. Parbhani,
Since this Department is abolished
at present Jalna Irrigation
Department, Jalna,
Office at Motibagh, Jalna,
Tq. and Dist. Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(26) FIRST APPEAL NO. 3852 OF 2016

1. Appasaheb Kisanrao Late,
Age : 49 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Tq. and Dist. Jalna
 2. The Special Land Acquisition Officer,
M.I.W. Jalna
 3. The Executive Engineer,
Lower Dudhna Project Division, Selu
Dist. Parbhani
Since this Department is abolished
at present Jalna Irrigation
Department, Jalna,
office at Motibagh, Jalna,
Tq. and Dist. Jalna
- Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(27) FIRST APPEAL NO. 861 OF 2013

1. Sampat Uttam Late,
Age : 35 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna
- Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W., Jalna,
having his office at Collector Office, Jalna
3. The Executive Engineer,
Nimna Dudhna Project,

Having his office at Jayakwadi, Selu,
Dist. Parbhani

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(28) FIRST APPEAL NO. 864 OF 2013

1. Dagdu Narayan Late,
Age : 50 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W., Jalna,
Having his office at Collector office, Jalna
3. The Executive Engineer,
Nimna Dudhana Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(29) FIRST APPEAL NO. 3610 OF 2016

1. Rama Gulabrao Late,
Age : 36 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Tq. and Dist. Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
3. The Executive Engineer,
Lower Dudhana Project, Selu,
Dist. Parbhani,
Since this Department is abolished
at present Jalna Irrigation
Department, Jalna,
Office at Motibagh, Jalna,
Tq. and Dist. Jalna
4. Pralhad Gulabrao Late, (formal Party),
Age : 38 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(30) FIRST APPEAL NO. 2107 OF 2016

1. Ahilaji Nivrutti Late,
Age : 54 years, Agriculture,
R/o. : Devla, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through Collector, Jalna,

Dist. Jalna

2. The Executive Engineer,
Lower Dudhana Project Division, Selu,
Dist. Parbhani.
Since, this department is abolished
at present Jalna Irrigation
Department, Jalna,
Office at Motibagh, Jalna,
Tq. and Dist. Jalna
3. The Special Land Acquisition Officer,
M.I.W. (Lasica), Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH
(31) FIRST APPEAL NO. 1185 OF 2013

1. Bharat Dattatraya Late,
Age 45 years, Occ. : Agriculture,
R/o. Deola, Taluka Partur,
District Jalna. Appellants

Versus

1. The State of Maharashtra,
Through Collector, Jalna,
having his office at Collector
Office, Jalna.
2. The Special Land Acquisition Officer,
M. I. W., Jalna, having his office
at Collector Office, Jalna.
3. The Executive Engineer,
Nimna Dudhna Project,

having his office at Jayakwadi,
Selu, Tq. Selu, District Parbhani. Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(32) FIRST APPEAL NO. 1180 OF 2013

1. Lahannuappa Kundlik Misal,
Age : 85 years, Occ. : Agriculture,
R/o. : Deola, Taluka Partur,
District Jalna. Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector
Office, Jalna.
2. The Special Land Acquisition Officer,
M. I. W. Jalna, having his office
at Collector Office, Jalna.
3. The Executive Engineer,
Nimna Dudhna Project,
having his office at Jayakwadi,
Selu, Tq. Selu, District Parbhani. Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(33) FIRST APPEAL NO. 1184 OF 2013

1. Atmaram Dattatraya Late,
Age : 40 years, Occ. : Agriculture,
R/o Deola, Taluka Partur,

District Jalna.

Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector
Office, Jalna.
2. The Special Land Acquisition Officer,
M. I. W., Jalna, having his office
at Collector Office, Jalna.
3. The Executive Engineer,
Nimna Dudhna Project, having his
office at Jayakwadi, Selu,
Tq. Selu, District Parbhani.

Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH

(34) FIRST APPEAL NO. 1183 OF 2013

1. Kisan Namdeo Misal,
Age : 55 years, Occ. : Agriculture,
R/o. Deola, Taluka Partur,
District Jalna.

Appellants

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector
office, Jalna.
2. The Special Land Acquisition Officer,
M. I. W., Jalna, having his office at
Collector office, Jalna.

3. The Executive Engineer,
Nimna Dudhna Project,
having his office at Jayakwadi,
Selu, Tq. Selu, District Osmanabad. Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(35) FIRST APPEAL NO. 1186 OF 2013

1. Udhav Dattatraya Late,
Age : 42 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,
Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector office at Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna
Having his office at Collector office, Jalna,
3. The Executive Engineer,
Nimna Dudhna Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(36) FIRST APPEAL NO. 1000 OF 2016

1. Abasaeb Taterao Late, (Died through LRs')

1/A. Babasaheb Abasaeb Late,
Age : 49 years, Occ. : Agriculture,

1/B. Kashinath Abasaheb Late,
Age : 45 years, Occ. : Agriculture,

2. Kashinath Abasaheb Late,
Age : 45 years, Occ. : Agriculture,

All above appellants

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

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector office at Jalna

2. The Special Land Acquisition Officer,
M.I.W. Jalna
Having his office at Collector office, Jalna,

3. The Executive Engineer,
Nimna Dudhna Project,
Since this office is abolished
Now at Jalna Irrigation Department,
Jalna at Motibagh, Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants

Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.

Mr. S. C. Arora, advocate for Respondent No.3.

WITH

(37) FIRST APPEAL NO. 1593 OF 2018

1. Madan Bapurao Late,
Age : 54 years, Occ. : Agriculture,
R/o. : Deola, Tq. Partur,

Dist. Jalna

Appellant

Versus

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

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mrs. Ranjana D. Reddy, advocate for Respondent No.3.

WITH

(38) FIRST APPEAL NO. 3123 OF 2016

1. Mahadev Ashraji Kavhale,
Age : 60 years, Occ. : Agriculture,
R/o. : Devla, Tq. Partur, Dist. Jalna
- Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
Tq. and Dist. Jalna
having his office at Collector Office, Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna,
Having his office at Collector office, Jalna
3. The Executive Engineer,
Lower Dudhana Project, Selu,

Dist. Parbhani,
 Since this Department is abolished
 at present Jalna Irrigation Department, Jalna,
 Office at Motibagh, Jalna,
 Tq. and Dist. Jalna Respondents

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(39) FIRST APPEAL NO. 1325 OF 2013

1. Baliram Baburao Late,
 Age : 55 years, Occ. : Agriculture,
 R/o. : Deola, Tq. Partur,
 Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
 Through the Collector, Jalna,
 having his office at Collector office at Jalna
2. The Special Land Acquisition Officer,
 M.I.W. Jalna
 Having his office at Collector office, Jalna,
3. The Executive Engineer,
 Nimna Dudhna Project,
 Having his office at Jayakwadi, Selu,
 Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
 Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
 Mr. S. G. Bhalerao, advocate for Respondent No.3.

WITH
(40) FIRST APPEAL NO. 1322 OF 2013

1. Baliram Baburao Late,
Age : 55 yeas, Occ. : Agriculture,
R/o. : Deola, Tq. Partur, Dist. Jalna Appellant

Versus

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector office at Jalna
2. The Special Land Acquisition Officer,
M.I.W. Jalna ,
Having his office at Collector office, Jalna,
3. The Executive Engineer,
Nimna Dudhna Project,
Having his office at Jayakwadi, Selu,
Tq. Selu, Dist. Parbhani Respondents

Mr. D. M. Kakade, advocate for the Appellants
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.
Mr. S. G. Bhalerao, advocate for Respondent No.3.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st August, 2023.

ORAL JUDGMENT :

- 1 Heard.

Some of the appeals are already admitted. By consent of learned Counsel for respective parties, remaining appeals are also admitted.

- 2 Heard rival submissions.

- 3 All these appeals are filed by the respective

appellants, who are the original claimants, seeking enhancement of the compensation amount awarded by the learned District Judge, Jalna and learned Civil Judge, Senior Division, Jalna, in their respective Land Acquisition References, as mentioned in these appeals.

4 This Court, in other connected matters arising out of same acquisition, under common judgment dated 07th February, 2023, in the bunch of First Appeal No.1353/2009 and others, has disposed of those appeals considering the earlier settlement between the appellants and respondent-acquiring body in the Lok Adalat. As such, this Court, in those appeals, has fixed following rates of compensation considering the various classifications of lands as under:

Classification	Rate
Dry Lands	Rs.2400/- per R
Semi irrigated lands	Rs.3600/- per R
Fully irrigated lands	Rs.4800/- per R
Pot kharab lands	Rs.1200/- per R

5 The learned Counsel for all these appellants-

claimants submits that the appellants are in agreement with the observation of the learned Reference Court in respect of classification of the lands in the impugned judgments.

6 Further it appears that, the Hon'ble Apex Court, in the Special Leave Petitions, arising out of these appeals preferred by the present appellants, has clarified that if these appellants are held entitled for higher compensation by the High Court after remand, they will not be entitled to the interest from the date of impugned judgment till filing of present appeals before it and also for the period for which the interest has been denied by the High Court earlier.

7 In view of the aforesaid order of the Hon'ble Apex Court, learned Counsel for the appellants, in all these matters, has prepared the chart showing that for how much period the appellants-claimants are not entitled for the interest. The said chart is taken on record and marked "X" for identification. The said chart marked "X" is made part of this judgment.

8 The respective learned Counsel for acquiring body have also accepted the calculations of delay periods shown in the said chart and therefore, as per the said chart, all the appellants-claimants, in these matters, shall not be entitled to claim interest on the enhanced compensation for the total period, as mentioned in column 12 of the said chart, which is sum of the periods mentioned in column no.7 and column no.11.

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

{i} All these appeals are partly allowed and the respective appellants-claimants are held entitled for the rate of compensation agreed between themselves and the acquiring body, as follows:

Classification	Rate
Dry Lands	Rs.2400/- per R
Semi irrigated lands	Rs.3600/- per R
Fully irrigated lands	Rs.4800/- per R
Pot kharab lands	Rs.1200/- per R

(ii) The compensation received by the appellants-claimants in Reference Court as well as this Court, as per earlier orders, is to be deducted from the compensation so arrived by considering the aforesaid rate.

{iii} The appellants-claimants shall also be entitled to get interest under Section 28 and 34 of the Land Acquisition Act, 1894 from the respective dates of awards passed by the Special Land Acquisition Officer.

{iv} The appellants-claimants shall also be entitled to get interest @ 12% p.a. 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 SLAO, as per Section 23(1A) of the Act.

{v} The appellants-claimants shall be entitled to get 30% solatium on the difference of market value under Section 23(2) of the Act.

{vi} The appellants-claimants shall not be entitled to the interest amounts for the respective periods as shown in column no.12 of the said chart marked "X".

{vii} The awards be modified accordingly.

{viii} The appeals are accordingly disposed of along with the pending Civil Applications, if any.

{ix} Liberty to pay deficit court fees, if any, within two weeks after it is computed by the office.

{x} Record and proceedings be sent back to the Reference Court forthwith.

(SANDIPKUMAR C. MORE)
JUDGE

adb