



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

905 FIRST APPEAL NO. 2708 OF 2025

NANABHAU THANSING GIRASE
VERSUS
THE COLLECTOR, DHULE AND OTHERS

...

AND

912 FIRST APPEAL NO. 1697 OF 2025

RESHMABAI GULABSING GIRASE
VERSUS
THE COLLECTOR, DHULE AND OTHERS

...

913 FIRST APPEAL NO. 2709 OF 2025

JAYSING THANSING GIRASE (DIED) THR. LRS KAVITA
HARSING GIRASE AND OTHERS
VERSUS
THE COLLECTOR, DHULE AND OTHERS

...

914 FIRST APPEAL NO. 25 OF 2026

REKHA SUBHASH WANI
VERSUS
THE DEPUTY COLLECTOR OFFICE, (LAND ACQUISITION) NO. 1,
MEDIUM IRRIGATION PROJECT, DHULE AND ORS

...

Advocate for Appellants : Ms. M.S.Andhare

h/f. Mr. Kale Ajeet B.

AGP for Respondents/State : Ms. Kalpalata Patil Bharaswadkar /SNM

Advocate for Respondent/Acquiring body : Mr.Ajay D. Pawar

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CORAM : MANJUSHA DESHPANDE, J.

Dated : August 20, 2026

PER COURT :-

1. The appellants have filed the respective land acquisition references, thereby challenging the market value of their acquired house, which has been refused under the award dated. 26.12.2012, passed by the SLAOs which has been confirmed by the Reference Court vide judgment and award dated 21.11.2019. Being aggrieved by the refusal of compensation of the house property which was acquired by the acquiring body, the appellants have filed the respective appeals.

2. The award was passed by the Land Acquisition Officer on 26.12.2012. After accepting the amount under the award dated 07.08.2013 under protest, they have filed the References against the award which was decided on 21.11.2019 in LAR Nos.121/2014, 118/2014, 126 of 2014, 260 of 2008. According to the learned Advocate for the appellants, the Reference Court has also refused to grant any compensation towards the house property. It is submitted that the connecting matters arising out of the same acquisition proceedings were settled before the Lok Adalat on 08.02.2020 by way of compromise between the Acquiring body and the claimants. The Acquiring body agreed that the claimants shall be entitled to compensation at the rate of 85% of the valuation report submitted by the claimants before the reference Court. The acquiring body was agreeable to the said

proposition and has stated that, the aforesaid compensation in respect of the house property shall be paid within one year from the date of compromise. Reliance is placed on the order passed by this Court in the group of first appeals decided vide order dated 27.04.2023. The compromise before the Lok Adalat is accepted by the Advocate for acquiring body, he accepts that such compromise has taken place and order has been passed by this Court in the First Appeals relying on the statement of Acquiring body, hence the same relief was granted to the claimants on the statement made by the learned Advocate for the acquiring body, by allowing the appeal partly and it was held that the claimants shall be entitled for the compensation at the rate of 85% of the valuation report submitted by the appellant claimants before the reference Court.

3. The learned Advocate appearing for respondent No. 3 acquiring body concedes to the said position and submits that the present appellant claimants are also similarly situated therefore he has instructions to state that same relief can be granted to the Appellants. In view of the aforementioned facts and circumstances, in my view it would be just and proper on the ground of parity, to extend the same benefit to the claimants appellants whose house property have been acquired for the same project.

4. However, it is made clear that considering that there was a delay in filing the appeals by the claimants, the claimants shall not be entitled for any interest as well as statutory benefit for the delayed period while computing the amount of their entitlement. Hence the following order :

- (i) All these appeals are partly allowed.
- (ii) Acquiring body is directed to pay all the applicant/claimants compensation at the rate of 85% of the valuation report submitted by the appellant claimants before the reference Court.
- (iii) The acquiring body shall deposit the amount of enhanced compensation as aforestated within a period of one year from the date of this order to reference Court and on such deposit, all these appellants – claimants are permitted to withdraw their respective amounts of compensation.
- (iv) In case, the payment is not made by the acquiring body within a period of one year, then it shall carry statutory interest till its realization.
- (v) The award be accordingly modified.
- (vi) In view of the above, all the appeals stand disposed off.
- (vii) Pending civil application/s if any, also stands disposed off.

(MANJUSHA DESHPANDE, J.)