



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 FIRST APPEAL NO. 3371 OF 2019

Dhruptabai Namdeo Mahar

VERSUS

The Special Land Acquisition Officer Dhule And Anr

WITH

FIRST APPEAL NO. 1938 OF 2020

Barku Mahipat Choudhary

VERSUS

The State Of Mah And Ors

WITH

FIRST APPEAL NO. 1939 OF 2020

Sadashiv Khushal Patil, Died Thr. L.rs. Kailas And Ors

VERSUS

The State Of Mah And Ors

WITH

FIRST APPEAL NO. 1940 OF 2020

Tukaram Chindha Patil

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 1941 OF 2020

Narayan Sadashiv Patil

VERSUS

The State Of Mah And Ors

WITH

FIRST APPEAL NO. 2733 OF 2019

Kishor Chadanmal Singhavi

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 3364 OF 2019

Gokul Chadanmal Singhavi

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 3367 OF 2019

Khelmaraj Damodar Patil

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 4281 OF 2022

Narayan Mahdu Choudhary

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 969 OF 2020

Ghanshyam Sampat Patil (baviskar), Died L.rs. Jijabai And Others

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 2723 OF 2019

Mohan Chandanmal Singhavi

VERSUS

The State Of Maharashtra And Others

WITH

FIRST APPEAL NO. 1942 OF 2020

Ananda Mahadu Choudhary

VERSUS

The State Of Mah And Ors

WITH

FIRST APPEAL NO. 1943 OF 2020

Pitambar Mahipat Choudhary

VERSUS

The State Of Maharashtra And Others
WITH

FIRST APPEAL NO. 1032 OF 2020

Ramdas Chindha Patil
VERSUS

The State Of Maharashtra And Others
WITH

FIRST APPEAL NO. 1033 OF 2020

Ramesh Chindha Patil
VERSUS

The State Of Maharashtra And Others
WITH

FIRST APPEAL NO. 1034 OF 2020

Mohan Mahadu Choudhary
VERSUS

The State Of Mah And Ors
WITH

FIRST APPEAL NO. 1035 OF 2020

Vikram Sadashiv Patil
VERSUS

The State Of Mah And Ors
WITH

FIRST APPEAL NO. 1036 OF 2020

Jijabai Ghanshyam Patil
VERSUS

The State Of Maharashtra And Others
WITH

FIRST APPEAL NO. 963 OF 2020

Ashok Bhata Patil
VERSUS

The State Of Mah And Ors

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Mrs. Nima R Suryawanshi, Advocate for Appellant.

Mr. S. P. Sonpawale, AGP for Respondent – State.
Mr. Pawar Ajay D., Advocate for Respondent No.2.

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CORAM : AJIT B. KADETHANKAR, J.

DATE : SEPTEMBER 1, 2026.

PC :-

1. Heard at the instance of the parties.
2. The first appeals are taken up for final disposal at the admission stage.
3. This is a group of 16 first appeals which arise out of different land acquisition reference cases arising out of land acquisition proceedings conducted for the Tapi Minor Irrigation Project, Fagane, District Dhule.
4. The respective lands of the appellants were acquired by the acquiring body for the said project under compulsory acquisition. The lands were classified as dry lands. After completion of the entire land acquisition process under the Act, the award was declared. Being dissatisfied with the deficit compensation, the appellants approached the reference Court with their respective land acquisition reference cases. The details of each case are seen in the tabular chart produced below :

Sr. No.	First Appeal No/s.	L.A.R. No/s.	Party
1	F. A. No.2723 of 2019	LAR No.226/2003	Mohan Singhvi Vs. State
2	F. A. No.2733 of 2019	LAR No.241/2003	Kishor Singhavi Vs. State
3	F. A. No.3364 of 2019	LAR No.242/2003	Gokul Singhvi Vs. State
4	F. A. No.3367 of 2019	LAR No.230/2003	Khemraj Patil Vs. State
5	F. A. No.963 of 2020	LAR No.225/2003	Ashok Patil Vs. State
6	F. A. No.1032 of 2020	LAR No.221/2003	Ramdas Patil Vs. State
7	F. A. No.1033 of 2020	LAR No.213/2003	Ramesh Patil Vs. State
8	F. A. No.1034 of 2020	LAR No.239/2003	Mohan Chaudhary Vs. State
9	F. A. No.1035 of 2020	LAR No.206/2003	Vikram Patil Vs. State
10	F. A. No.1938 of 2020	LAR No.223/2003	Barku Chaudhary Vs. State
11	F. A. No.1940 of 2020	LAR No.247/2003	Tukaram Patil Vs. State
12	F. A. No.1941 of 2020	LAR No.222/2003	Narayan Patil Vs. State
13	F. A. No.1942 of 2020	LAR No.245/2003	Ananda Chaudhary Vs. State
14	F. A. No.1943 of 2020	LAR No.227/2003	Pitambar Chaudhary Vs. State
15	F. A. No.1939 of 2020	LAR No.214/2003	Sadashiv Patil Thr. LRs. Vs. State
16	F. A. No.4281 of 2022	LAR No.235/2003	Narayan Chaudhari Vs. State

5. After assessing the evidence, the reference Court had arrived at a conclusion whereby the rate for dry land was fixed @Rs.1,20,000/- per hectare. Insofar as the first appeals at Serial Nos.1 to 14 are concerned, likewise, for the first appeals at Serial Nos.15 and 16, the rate was fixed @Rs.1,10,000/- per hectare. Feeling aggrieved thereby, the appellants/claimants are before this Court.

6. Mrs. Suryawanshi, learned advocate for the appellants, would place reliance on an order dated 30 July 2026 passed by this Court in First Appeal No.426 of 2014 and First Appeal No.427 of 2014. She would submit that the said appeals arose out of land acquisition references resulting from the same land acquisition proceedings which are the subject matter of the present appeals. Mrs. Suryawanshi would submit that after hearing both sides, this Court recorded its opinion that there was an exorbitant deduction which was unwarrantedly ordered and hence, the deduction was reduced to 10% instead of 30%.

7. With this, the first appeals came to be partly allowed, fixing the value of dry lands acquired for the project @Rs. 1,80,000/- per hectare. Mrs. Suryawanshi concludes her arguments with the submission that the lands of all the appellants are dry lands and hence in view of the cited order, the appellants also deserve the same relief on the principle of parity. The sum and substance of the argument is that the compensation needs to be escalated by holding the value of appellants' land @Rs.1,80,000/- per hectare.

8. Mr. A. D. Pawar, learned advocate representing the acquiring body, has taken instructions from his authorities. He submits that he has represented the acquiring body in the cited matters. In all fairness, he would submit that the

first appeals could be allowed by granting enhancement as is ordered in the cited case. In other words, the acquiring body is agreeable if the appeals are allowed by granting enhancement, holding the value of appellants' acquired lands @Rs.1,80,000/- per hectare.

9. In view of this, I have no hesitation to dispose of these first appeals allowing partly as ordered below. Hence, the following order:

O R D E R

- (i) The First Appeals are partly allowed.
- (ii) The appellants are entitled for compensation @Rs.1,80,000/- per hectare for the dry lands.
- (iii) The operative part of the impugned award be modified accordingly to that extent. The part of interest shall be governed by the law laid down by Full Bench judgment of this Court in **State of Maharashtra Vs. Kailash Shiva Rangari¹**.
- (iv) Rest of the impugned award stand confirmed.
- (v) Modified awards be drawn up accordingly.
- (vi) The appellants shall pay deficit Court fees within a period of one month from today.
- (vii) The acquiring body shall deposit the modified award amount in the Registry of this Court within a period of six months from today.

1 (2016(3) Mh.L.J. 457)

10. Needless to mention, the deposit shall exclude such amount as has already been paid or deposited. On such deposit, the appellant shall be at liberty to withdraw the same without filing any separate application.

11. Pending Civil Applications, if any, stand disposed of.

[AJIT B. KADETHANKAR, J.]