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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.395 OF 2007

Sonubai Rambhau Vidhate (since deceased)
through her LRs.

a) Shivaji Rambhau Vidhate & Ors. Appellants

V/s.

State of Maharashtra Respondent

**WITH
FIRST APPEAL NO.394 OF 2007**

Girijabai Walu Ranmali Appellant

V/s.

State of Maharashtra Respondent

**WITH
FIRST APPEAL NO.393 OF 2007**

Parvatabai Mahadu Vidhate (since deceased)
through her LRs.

a) Dinkar Punjaram Vidhate & Ors. Appellants

V/s.

State of Maharashtra Respondent

**WITH
FIRST APPEAL NO.392 OF 2007**

Bhika Punja Mali (since deceased)
through her LRs.

a) Shankar Bhikaji Lahitkar & Ors. Appellants

V/s.

State of Maharashtra Respondent

WITH

FIRST APPEAL NO.391 OF 2007

Waman Barku Mali & Ors.

....Appellants

V/s.

State of Maharashtra

....Respondent

Mr. Anil Ahuja a/w Mrs. Bhavana Khemani for the appellants in all matters.

Mr. A. R. Patil, Addl. G. P for the respondents.

CORAM : JITENDRA JAIN, J.**DATED : 6 August 2026****P.C. :**

1. All the aforesaid appeals were admitted on 13 February 2007.
2. The only grievance of the appellant is that the Reference Court has not given any direction with respect to the interest on the amount awarded under Sections Sections 23(1A) and 23(2) of the Land Acquisition Act, 1894.
3. On a perusal of the Reference Court's order, it appears that though there were directions to grant interest under other sections but there was no direction with respect to interest under Section 28 on the amount awarded under Sections 23(1A) and 23(2). Therefore, the matter is remanded back to the Reference Court for the limited purpose of adjudicating on interest under Section 28 on the amount awarded under Sections 23(1A) and 23(2) and also after considering the decision of the Hon'ble Supreme Court in the case of *Sunder vs. Union of India*¹.
4. It is clarified that interest under Section 28 will be calculated on the figure arrived at by adding the market value and interest under Section

1 (2001) 7 SCC 211

23(1A). After calculating interest on this addition, the claimants would not be entitled to claim interest again under Section 28 on the interest worked out under Section 23 (1A).

5. The parties to appear before the Reference Court on 27 August 2026 at 11:00 a.m. alongwith the present order so that the Reference Court can adjudicate the issue should and pass appropriate orders as expeditiously as possible.

6. All the appeals are disposed of in above terms.

(JITENDRA JAIN, J.)