

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

FIRST APPEAL NO.2675/2015

Pandit Laxman Chaval
Age 47 yrs, Occ-Agri
R/o Village Wanjola, Tq.
Mantha, Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani

.. Respondents
[Orig.Respondents]

....

FIRST APPEAL NO.2676/2015

- 1] Vijay Vishnupant Chaval
Age 56 yrs, Occ-Agri
- 2] Vishal Vishnupant Chaval
Age 53 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant

[Orig.Claimant]

Versus

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

.. Respondents
[Orig.Respondents]

....

FIRST APPEAL NO.2677/2015

Baban Mokindrao Kapse
Age 58 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani

.. Respondents
[Orig.Respondents]

...

FIRST APPEAL NO.2678/2015

Subhadrabai Panditrao Chaval
Age 45 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani

.. Respondents
[Orig.Respondents]

...

FIRST APPEAL NO.2679/2015

Sopan Jijabhau Ghodake
Age 75 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani .. Respondents
[Orig.Respondents]

....

FIRST APPEAL NO.2680/2015

Dnyanoba Baburao Chaval
Age 60 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani .. Respondents

[Orig.Respondents]

....

FIRST APPEAL NO.2681/2015

Babasaheb Sitaram Chaval
Age 40 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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
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- 3] The Executive Engineer
Nimna Dudhna Project
Having his office at Jayakwadi
Selu, Tq. Selu, Dist.Parbhani

.. Respondents
[Orig.Respondents]

....

FIRST APPEAL NO.2682/2015

Swapnil Sampatrao Chaval
Age 22 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani
- .. Respondents
[Orig.Respondents]

...

FIRST APPEAL NO.2713/2015

Rameshwar Sampatrao Chaval
Age 24 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna

.. Appellant
[Orig.Claimant]

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, Dist.Parbhani
- .. Respondents
[Orig.Respondents]

...

FIRST APPEAL NO.2714/2015

Vasant s/o Sakharam Chaval Deceased L.Rs.)

- 1] Kushvartabai w/o Vasantrao Chaval
Age 65 yrs, Occ-Agri
R/o Village Wanjola, Tq. Mantha
Dist.Jalna
- 2] Sarjerao s/o Vasantrao Chaval
Age 31 years, Occ-Agril
- 3] Kunta w/o Subhashrao Golekar
Age 50 yrs, Occ-Agril
- 4] Gangubai w/o Ranjitrao Gat
Age 55 yrs, Occ-Agril
- 5] Lata w/o Govindrao Gajmal
Age 50 yrs, Occ-Agri.
- 6] Savita w/o Vinayakrao Zakane
Age 36 yrs, Occ-Agri.

All above appellants resides at village
Wanjola, Tq. Mantha, Dist.Jalna

.. Appellants
[Orig.Claimant]

Versus

- 1] The State of Maharashtra
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having his office at Collector
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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
[Orig.Respondents]

...
Shri Deepak M. Kakade,Adv. For appellants
Shri P.N.Kutti,AGP for respondent no.1 and 2
Shri P.R.Tandale,Adv. For respondent no.3 (In
F.A.Nos.2675,2677,2679,2713 of 2015).
Shri Ruturaj C. Patil,Adv. For respondent no.3 (in
F.A.Nos.2678,2680,2681,2682.
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CORAM : S.V.GANGAPURWALA,J.

DATED : 20TH OCTOBER, 2015

PER COURT :-

The learned counsel for the appellants submits that this Court vide order dated 14/10/2015 in First Appeal No.256/15 with connected matters has already decided about the valuation of the land situated at village Wanjola and acquired vide notification dated 13/7/1995 for Lower Dudhna Project wherein this Court has fixed compensation for jirayat land at the rate of Rs.1500/- per R, for seasonally irrigated land at the rate of Rs.1800/- per R and for perennially irrigated land at the rate of Rs.2100/- per R.

2] The respective counsel for the acquiring body and the learned AGP accepts the said fact.

3] For the reasons recorded in the judgment dated 14/10/2015 in First Appeal No.2561/15 with connected appeals, I pass following

order :

4] Considering the above, the appeals are partly allowed. The judgment and award passed by the Reference Court is modified to the extent that the respondents are jointly and severally liable to pay compensation to appellants at the rate of Rs.1500/-per R for Jirayat lands, Rs.1800/- per R for Seasonally irrigated lands and Rs.2100/- per R for perennially irrigated lands as categorized by the Reference Court in the award. The rest of the statutory benefits awarded by the Reference Court upheld and maintained.

5] The appellants shall not be entitled for the statutory benefits in respect of the delayed period while filing appeals. In the event the appellants have paid less court fees, then the appellants shall pay the deficit court fees accordingly.

[S.V.GANGAPURWALA,J.]

umg/