

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 405 OF 2003

Devrao s/o Mashnaji Wadikar,
Age : 60 years, Occu: Agriculture,
R/o: Hasanalpatti, Taluka Mukhed,
District Nanded.

... Appellant

Versus

1. The State of Maharashtra,
Through Collector, Nanded.
2. The Special Land Acquisition
Officer, P.T. & M.I.W.,
Nanded.

... Respondents

WITH
FIRST APPEAL NO. 111 OF 2004

1. Vitthal s/o Bhimrao Wadikar,
Age : 50 years, Occu: Agriculture,
R/o Hasanalpatti, Taluka Mukhed,
District Nanded.
2. Murli s/o Bhimrao Wadikar,
Age : 40 years, Occu: Agriculture,
R/o. As above.
3. Laxman s/o Bhimrao Wadikar,
Age : 34 years, Occu: Agriculture,
R/o. As above.

... Appellants

Versus

1. The State of Maharashtra,
Through Collector, Nanded.
2. The Special Land Acquisition
Officer, P.T. & M.I.W.,
Nanded.

... Respondents

WITH
FIRST APPEAL NO. 1024 OF 2007

1. Ramrao Vithoba Naik
(Since deceased through his L.Rs.)
- i. Venkatrao Ramrao Naik,
Age : 45 years, Occu: Agriculture,
R/o Hasanalpatti-Degloor,
Taluka Mukhed, District Nanded.
- ii. Bhagwanrao Ramrao Naik,
Age : 35 years, Occu: Agriculture,
R/o. As above. ... Appellants

Versus

1. The State of Maharashtra,
Through Collector, Nanded.
2. The Special Land Acquisition
Officer, P.T.O. & M.I.M., Divi.
Nanded. ... Respondents

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Mr. V. M. Mane, Advocate for the appellants
Mr. K. D. Munde, AGP for respondent-State
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CORAM : V. K. JADHAV, J.
DATED : 16th APRIL, 2016

ORAL ORDER :-

1. Heard learned counsel for the appellants as well as the learned A.G.P. for the respondents.
2. All these three first appeals have arisen out of one and the same land acquisition proceedings, where under the lands of village Tupdal, Tq. Mudkhed, District Nanded were acquired for the purpose

of construction of Jamkhed tank.

3. Learned counsel for the appellants has placed on record a copy of judgment dated 06.08.2013 delivered by this Court (Coram: M.T. Joshi, J.) in first appeal No. 606 of 1994 and other connected appeals. Learned counsel for the appellants submits that present appeals out of same acquisition proceedings and the lands of the present appellants were situated in the vicinity, where the lands of the appellants in first appeal No. 606 of 1994 and the appellants other connected appeals, were situated. The learned A.G.P. fairly concedes this position.

4. In the light of above and for the reasons recorded in the judgment dated 06.08.2013, delivered by this Court in first appeal No. 606 of 1994 and other connected appeals, I proceed to pass the following order:-

O R D E R

- I. The appeals are allowed without any order as to costs.
- II. The respondent-State is directed to pay total compensation to the present appellants at the rate of

Rs.25,000/- per hectare with solatium at the rate of 30% and the statutory benefits and interest, as per the law.

III. Award be drawn up accordingly.

IV. With these directions, the first appeals stand disposed of.

(V. K. JADHAV, J.)

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