

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

FIRST APPEAL NO.1402 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H. 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Ananda Kadu Gawali,
Age – Major, Occu. Agriculture,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1403 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Jyotmal Totaram Tawar,
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1404 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Vasant Eknath Sonar,
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH**FIRST APPEAL NO.1405 OF 2005**

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Pralhad Parshuram Wanjari,
Age – Major, Occu. Agriculture,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH**FIRST APPEAL NO.1406 OF 2005**

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H, 1.

2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Harchand Parshuram Wanjari
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1408 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H. 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Kailas Thawarsing Tawar
Age – Major, Occu. Agriculture,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1410 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Vilas Devidas Kale,
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1411 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Smt. Kokilabai Trimbak Wagh,
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH

FIRST APPEAL NO.1412 OF 2005

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Bhangi Mango Pawar
Age – Major, Occu. Agriculture,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

WITH**FIRST APPEAL NO.1413 OF 2005**

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.- 1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

1. Bebibai Mango Koli
Age – 62 years, Occu. Agriculturist,
2. Sitaram Mango Koli
Age –40 years, Occu. Agriculturist,
3. Atmaram Mango Koli,
Age – 29 years, Occu. Agriculturist,
4. Shantaram Mango Koli,
Age – 25 years, Occu. Agriculturist,
5. Tulshiram Mango Koli,
Age – 21 years, Occu. Agriculturist,
6. Lilabai w/o. Mango Koli,
Age – 42 years, Occu. Agriculturist,
7. Alkabai w/o Atmaram Sapkale,
Age – 37 years, Occu. Agriculturist,
8. Chandrakalabai w/o Pramod Tayde,
Age – 23 years, Occu. Agriculturist,

(Appeal is dismissed as against
Respondent Nos. 3 and 7 as per
Registrar's Court Order dated
09.06.2009)

All R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENTS
(Ori. Claimants)

WITH**FIRST APPEAL NO.1414 OF 2005**

1. The Special Land Acquisition Officer,
Jalgaon U.T.P.H.-1.
2. The Executive Engineer,
Waghur Project, Jalgaon.

..APPELLANTS
(Ori. Respondents)

VERSUS

- * Shri Jaising Totaram Tawar,
Age – Major, Occu. Agriculturist,
R/o Khadgaon, Tq. Jamner,
Dist. Jalgaon.

..RESPONDENT
(Ori. Claimant)

...
Mr. N.T.Bhagat, AGP for Appellants;
Mr. V.D. Gunale, Advocate for Respondents.

...

CORAM : P.R.BORA, J.
DATE : 23rd May, 2016.

JUDGMENT :

1) When the present group of appeals was taken up for hearing, Shri V.D.Gunale the learned Counsel appearing for the original claimants in all these appeals submitted that, some of the appeals filed against the Judgment and Award passed in the Land Acquisition References, arising out of the same land acquisition

proceedings have been dismissed by this Court vide the Judgment passed on 6th & 7th January, 2016 in First Appeal No.1370/2005 with connected appeals. Learned Counsel submitted that, the lands which were the subject matter of the aforesaid appeals were of village Khadgaon and were acquired for Waghur Irrigation Project. Learned Counsel submitted that, the lands which are the subject matter of the present group of appeals are also from village Khadgaon and were acquired for the same Waghur Irrigation Project. Learned Counsel submitted that, in the concerned Land Acquisition References, the land reference Court had awarded the compensation at the rate of Rs.1.8 lakh per hectare for *jirayat* land. Learned Counsel submitted that, in the common Judgment and Award, which is impugned in the present appeals, the Reference Court has awarded the compensation at the same rate of Rs.1.8 lakh for *Jirayat* land. Learned Counsel submitted that, since First Appeal No.1370/2005 with connected appeals arising out of the same land acquisition proceedings have been dismissed by this Court, the present appeals also deserve to be dismissed for the same reasons assigned in the aforesaid Judgment of this Court.

2) Shri N.T.Bhagat, the learned AGP appearing for the appellants in all the appeals in the present group has not disputed the facts so stated as above by Shri Gunale, the learned Counsel appearing for the original claimants.

3) Shri Gunale has placed on record the copy of the common Judgment delivered by this Court on 6th & 7th January, 2016 in First Appeal No.1370/2005 with connected appeals. On perusal of the said Judgment, it is revealed that, the lands which were the subject matter in the said appeals were acquired for Waghur Irrigation Project and were from village Khadgaon. It is further revealed that, in the said appeals, the reference Court had awarded compensation at the rate of Rs.1.8 lakh per hectare for *jirayat* land. In the common Judgment and Award impugned in the present appeals also the subject lands were acquired for Wagur Irrigation Project and the said lands are of village Khadgaon. It is further revealed that, in the common Judgment and Award impugned in the present appeals, the Reference Court had awarded the compensation for *jirayat* land at the same rate of

Rs.1.8 lakh per Hectare.

4) In view of the facts as above, the appeals in the present group also deserve to be dismissed for the reasons assigned by this Court in the judgment delivered in First Appeal No.1370/2005 with connected appeals on 6th & 7th January, 2016 and accordingly the present appeals are dismissed. No order as to costs.

Sd/-
(P.R.BORA)
JUDGE

SPR