

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 FIRST APPEAL NO.711 OF 2003

THE STATE OF MAHARASHTRA
VERSUS
RSM SING HIRAMAN PARDESHI

...

**AND FA/716/2003 AND FA/717/2003
AND FA/714/2003 WITH CA/4717/2003 IN FA/711/2003
AND FA/715/2003 AND FA/712/2003 AND FA/713/2003**

...

AGP for Appellant : Mr. S. S. Dande
Advocate for Respondent-claimant : Mr. Ajeet B. Kale

...

**AND
25 FIRST APPEAL NO.1038 OF 2003
WITH X-OBJ(ST)/25518/2004**

STATE OF MAHARASHTRA
VERSUS
KASHINATH SANDU CHAUDHARI

...

AGP for Appellant : Mr. B. V. Virdhe
Advocate for Respondent-claimant : Mr. Ajeet B. Kale

...

**AND
26 FIRST APPEAL NO.1039 OF 2003
WITH X-OBJ(ST)/25530/2004**

STATE OF MAHARASHTRA
VERSUS
LEELABAI KASHINATH CHAUDHARI

...

AGP for Appellant : Mr. S. S. Dande
Advocate for Respondent-claimant : Mr. Ajeet B. Kale

...

**AND
27 FIRST APPEAL NO.1043 OF 2003
WITH X-OBJ(ST)/25527/2004**

STATE OF MAHARASHTRA
VERSUS
PRALHAD SANDDU CHAUDHARI

...

AGP for Appellant : Mr. B. V. Virdhe
Advocate for Respondent-claimant : Mr. Ajeet B. Kale

...
AND
29 FIRST APPEAL NO.1101 OF 2003

STATE OF MAHARASHTRA and ANOTHER
 VERSUS
 SUMANBAI NAMDEO PATIL

...
 AGP for Appellant : Mr. B. V. Virdhe
 Advocate for Respondent-claimant : Mr. Ajeet B. Kale
 ...

CORAM : ANIL S. KILOR, J.

DATE : 28th APRIL, 2021

PER COURT :-

All these matters are arising out of the same project and same acquisition proceedings, which was the subject matter of present Appeals.

2. Mr. A. B. Kale, learned counsel for the respondents-claimants submits that the issue involved in these appeals stand settled by the decision of the Division Bench of this Court in the case of *Special Land Acquisition Officer (III), Jalgaon and another Versus Bhagwat Vithal Sonwane¹*, where in respect of acquisition for the very same Waghur Project, the Division Bench has approved the very rates now granted by the Reference court in the impugned Judgment and award. Therefore, he submits that by adopting the reasoning in the case of Bhagwat Vithal Sonwane (supra), these appeals are also liable to be dismissed.

3. In view of aforesaid submission, since this Court has already passed the Judgment and order in the connected matters long back and it was not challenged in the Apex Court. Hence, it has attained finality.

¹ 2009(4) Mh.L.J. 308

4. In that view of the matter, it would not be appropriate to take different view, which was taken by the same Judgment, and accordingly, I adopt the same view.

5. Accordingly, these first appeals are dismissed. No order as to costs.

6. In view of the disposal of first appeals, nothing further survives for consideration in pending X-Objections on Stamp and civil application, if any, the same stand disposed of, accordingly.

(ANIL S. KILOR)
JUDGE

rrd