

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

FIRST APPEAL NO. 670 OF 2011

VILAS S/O BRIJLAL PATIL  
VERSUS  
THE SPECIAL LAND ACQUISITION OFFICER,  
MEDIUM PROJECT, DHULE AND ORS.

Mr D.M. Pingale, Advocate for appellant  
Mr A.B. Chate, A.G.P. for respondents no.1 and 2

with  
FIRST APPEAL NO. 671 OF 2011

BRIJLAL SADASHIV PATIL DECEASED, L.RS. ARJUN BRIJLAL PATIL AND ORS.  
VERSUS  
THE SPECIAL LAND ACQUISITION OFFICER,  
MEDIUM PROJECT, DHULE AND ORS.

**CORAM : SHRIKANT D. KULKARNI, J.**

**DATE : 4th May, 2022**

**PER COURT :**

1. It is a motion for speaking to the minutes in respect of the judgment dated 27.4.2022 passed by this Court, moved by Mr D.M. Pingale, learned Advocate for appellant in First Appeal No.670 of 2011.
2. Heard Mr D.M. Pingale, learned Advocate for appellant in First Appeal No.670 of 2011 as well as Mr A.B. Chate, learned A.G.P. for respondents No.1 and 2/State.
3. Mr Pingale, learned Advocate for appellant pointed out that he was appearing along with Mr Dhananjay Mane, Advocate in First Appeal No.670 of 2011 only. He submitted that Mr R.C. Patil who was appearing in First Appeal No. 671 of 2011 is no more. While disposing First Appeal No.670 of 2011, First Appeal No.671 of 2011 came to be tagged and inadvertently, First Appeal No.671 of 2011 came to be disposed of along with First Appeal No. 670 of 2011.

Mr Pingale, learned Advocate for appellant, therefore, urged to correct the order passed by this Court dated 27.4.2022. Mr A.B. Chate, learned A.G.P. for the State also made similar submission.

4. It is revealed during course of argument that Mr R.C. Patil, learned Advocate appearing for appellants in First Appeal No.671 of 2011 is no more. While disposing First Appeal No.670 of 2011 inadvertently First Appeal No.671 of 2011 came to be tagged and ultimately disposed of vide judgment dated 27.4.2022. It is, therefore, necessary to correct the observations made in the oral judgment as well as in the operative part of judgment dated 27.4.2022. As a result, First Appeal No.671 of 2011 is restored to file.

5. Paragraph No.1 of the judgment dated 27.4.2022 shall be read as under :

"1. This appeal is directed against the impugned judgment and order passed in L.A.R.No.28 of 2000."

6. Wherever the word "**appeals**" is used, it shall be read as "**appeal**" and wherever the words "**appellants/claimants**" are used, it shall be read as "**appellant/claimant**".

7. The operative order shall be read as under :

(I) The First Appeal No.670 of 2011 stands partly allowed as under :

(a) The award passed in L.A.R.No.28 of 2000 by the Civil Judge, Senior Division, Shahada is hereby modified as under :

- "(i) The appellant/claimant is entitled to get compensation in respect of his acquired land at the rate of Rs.2,00,000/- per hectare along with statutory benefits and interest in terms of provisions of Land Acquisition Act, 1894.
- (ii) The additional compensation together with statutory benefits and interest shall be paid to the appellant/claimant within six months from the date of this judgment and order."
8. Rest of the operative part of the judgment dated 27.4.2022 stands unaltered.
9. Notice of motion is disposed of.

**( SHRIKANT D. KULKARNI, J.)**

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