

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

19. FIRST APPEAL NO. 2563 OF 2023

Narendra Vijaysingh Girase
Age: 46 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.
Ms.R.P.Gaur, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...
WITH

20. FIRST APPEAL NO. 2564 OF 2023

Bhatu Babulal Sutar
Age: 49 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

- 1] The Collector, Dhule.
- 2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.
- 3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.
Mr.B.V.Virdhe, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...
WITH

21. FIRST APPEAL NO. 2565 OF 2023

Govindsing Sardarsing Girase
Age: 57 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule .. APPELLANT
[Ori.Claimant]

VERSUS

- 1] The Collector, Dhule.
- 2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.
- 3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
 Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
 Advocate for the appellant.
 Mr.K.B.Jadhavar, AGP for the respondent-State.
 Mr.A.D.Pawar, Advocate for the respondent no.3.

...
WITH

22. FIRST APPEAL NO. 2566 OF 2023

Dhansing Manga Girase
 Age: 45 Yrs. Occu : Agri,
 R/o. Divi, Tq.Shindkheda,
 Dist. Dhule

.. APPELLANT
 [Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
 [Land Acquisition] No.1,
 Medium Irrigation Project,
 Dhule.

3] The Executive Engineer,
 Dhule Medium Project Department No.1,
 Dhule.

.. RESPONDENTS

...
 Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
 Advocate for the appellant.
 Mr.K.N.Lokhande, AGP for the respondent-State.
 Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

23. FIRST APPEAL NO. 2567 OF 2023

Gulabsing Pratap Girase
 Age: 55 Yrs. Occu : Agri,

R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule.

.. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.
Ms.R.P.Gaur, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.
...

WITH

24. FIRST APPEAL NO. 2568 OF 2023

Bhagwansing Gulabsing Girase
Age: 52 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

- 3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.
Mr.N.T.Bhagat, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH
25. FIRST APPEAL NO. 2569 OF 2023

Bhatesing Gajesing Girase
Age: 47 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

- 1] The Collector, Dhule.
- 2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.
- 3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.
Mr.B.V.Virdhe, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH
26. FIRST APPEAL NO. 2570 OF 2023

Jagat Manga Girase
 Age: 40 Yrs. Occu : Agri,
 R/o. Divi, Tq.Shindkheda,
 Dist. Dhule

.. APPELLANT
 [Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
 [Land Acquisition] No.1,
 Medium Irrigation Project,
 Dhule.

3] The Executive Engineer,
 Dhule Medium Project Department No.1,
 Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
 Advocate for the appellant.
 Mr.K.B.Jadhavar, AGP for the respondent-State.
 Mr.A.D.Pawar, Advocate for the respondent no.3.

WITH
27. FIRST APPEAL NO. 2571 OF 2023

Narayansing Bhagwan Girase
 Age: 50 Yrs. Occu : Agri,
 R/o. Divi, Tq.Shindkheda,
 Dist. Dhule

.. APPELLANT
 [Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule.

.. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.

Ms.R.P.Gaur, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

28. FIRST APPEAL NO.2572 OF 2023

Hambersing Pratap Girase (Died)
Through LRs

1. Chandrakalabai Hambersing Girase
Age: 51 Yrs, Occu : Agri
2. Rajendra Hambersing Girase
Age: 40 Yrs. Occu : Agri,
3. Bhupendra Hambersing Girase.
Age : 37 Yrs, Occu : Agri,
4. Narendra Hambersingh Girase.
Age: 33 Yrs, Occu : Agri,

All R/o. Divi, Tq.Shindkheda,
Dist. Dhule.

.. APPELLANTS
[Ori. Claimants]

VERSUS

- 1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellants.
Mr.N.T.Bhagat, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

29. FIRST APPEAL NO. 2573 OF 2023

Nanabhau Mangalsing Girase
Age: 40 Yrs. Occu : Agri,
R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule. .. RESPONDENTS

...
Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.

Mr.N.T.Bhagat, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

30. FIRST APPEAL NO. 2574 OF 2023

1. Bharatsing Gulabsing Girase

Age: 52 Yrs, Occu : Agri,

2. Bhatesing Gulabsing Girase

Age: 49 Yrs, Occu : Agri,

Both R/o. Divi, Tq.Shindkheda,
Dist. Dhule.

.. APPELLANTS
[Ori.Claimants]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Project Department No.1,
Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate holding for Mr.M.R.Malpani,
Advocate for the appellant.

Mr.K.B.Jadhavar, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

31. FIRST APPEAL NO. 2651 OF 2023

Dilip Poulat Girase

Age: 63 Yrs. Occu : Agriculture,

R/o. Divi, Tq.Shindkheda,
Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

1] The Collector, Dhule.

2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

3] The Executive Engineer,
Dhule Medium Irrigation Division No.1,
Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.K.N.Lokhande, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

32. FIRST APPEAL NO. 2652 OF 2023

Lotan Palat Girase [died]

Through LRs

1. Kamalbai Lotan Girase
Age: 54 years, Occ : Household
2. Yogesh Lotan Girase
Age: 35 years, Occ : Agriculture
3. Rekhabai Darbarsing Girase
Age: 41 years, Occ : Agriculture,
4. Anita Nimsing Girase
Age: 35 years, Occ : Agriculture,

5. Sonal Hemant Rajput
Age: 30 years, Occ : Household,

All R/o. Divi, Tal : Shindkheda,
Dist : Dhule.

.. APPELLANTS
[Ori.Claimant]

VERSUS

- 1] The Collector, Dhule.

- 2] The Deputy Collector
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

- 3] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Ms.R.P.Gaur, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

33. FIRST APPEAL NO. 2655 OF 2023

Vijaysing Saradar Girase (Ahirrao)

Age: 57 Yrs. Occu : Agriculture,

R/o. Divi, Tq.Shindkheda,

Dist. Dhule

.. APPELLANT
[Ori.Claimant]

VERSUS

- 1] The Deputy Collector
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule.

3] The Collector, Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.N.T.Bhagat, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

34. FIRST APPEAL NO. 2656 OF 2023

Hambarsing Pratap Girase (died)
Through LRs

1. Chandrakalabai Hambarsing Girase
Age: 58 years, Occ : Agriculture
2. Rajendra Hambarsing Girase
Age: 34 years, Occ : Agriculture
3. Bhupendra Hambarsing Girase
Age: 31 years, Occ : Agriculture
4. Narendra Hambarsing Girase
Age: 27 years, Occ : Agriculture
Applicant no.2 is the GPA of
applicants No.1, 3 & 4
All R/o. Divi, Tal : Shindkheda,
Dist : Dhule.

.. APPELLANTS
[Ori.Claimants]

VERSUS

- 1] The Collector, Dhule.
- 2] The Deputy Collector,
[Land Acquisition] No.1,

Medium Irrigation Project,
Dhule.

- 3] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellants.
Mr.B.V.Virdhe, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

35. FIRST APPEAL NO. 2657 OF 2023

Kashinath Namdeo Pawar (Died)
Through L.Rs.

1. Ratan Kashinath Pawar
Age: 54 years, Occ : Agriculture
2. Sunandabai Vedu Sonawane
Age: 42 years, Occ : Agriculture
3. Sarlabai Chaitram Aagale
Age: 38 years, Occ : Agriculture
4. Nababai Kashinath Pawar
Age: 82 years, Occ : Household,

All R/o. Divi, Tq.Shindkheda,
Dist : Dhule.

.. APPELLANTS
[Ori. Claimants]

VERSUS

- 1] The Collector, Dhule.
- 2] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,

Dhule.

- 3] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.B.Jadhavar, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.3.

...

WITH

36. FIRST APPEAL NO. 2658 OF 2023

Vijesing Sardar Girase

Age: 55 years, Occ : Agriculture,

R/o. Divi, Tal : Shindkheda,

Dist : Dhule.

.. APPELLANT

[Ori.Claimant]

VERSUS

- 1] The Deputy Collector,
[Land Acquisition] No.1,
Medium Irrigation Project,
Dhule.

- 2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule.

- 3] The Collector, Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.N.Lokhande, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

37. FIRST APPEAL NO. 2659 OF 2023

Prabhakar Hari Wani (Kothawade)

Age: 60 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi,
Medium Project, Divi, Tal : Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule

3] The Collector, Dhule
Collector Office, Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Ms.R.P.Gaur, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

38. FIRST APPEAL NO. 2660 OF 2023

Harsing Kalu Girase

Age: 59 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi

Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

- 3] The Collector, Dhule
Collector Office, Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.B.V.Virdhe, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

39. FIRST APPEAL NO. 2661 OF 2023

Ramesh Dattatray Wani
Age: 63 years, Occ : Agriculture,
R/o. Divi, Tal. Shindkheda,
Dist : Dhule .. APPELLANT
[Ori.Claimant]

VERSUS

- 1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.
- 2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.
- 3] The Collector, Dhule
Collector Office, Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.B.V.Virdhe, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**40. FIRST APPEAL NO. 2662 OF 2023**

Bhimsing Daulat Girase

Age: 57 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule.

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.K.B.Jadhavar, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**41. FIRST APPEAL NO. 2663 OF 2023**

Dilip Daulat Girase

Age: 53 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.N.Lokhande, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

42. FIRST APPEAL NO. 2664 OF 2023

Piran Dhaba Bhil (Malche)

Age: 63 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT
[Ori. Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.
Mrs.R.P.Gaur, AGP for the respondent-State.
Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**43. FIRST APPEAL NO. 2665 OF 2023**

Rajendra @ Raju Kalusing Girase

Age: 50 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.N.T.Bhagat, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**44. FIRST APPEAL NO. 2666 OF 2023**

Aashabai Ashok Girase

Age: 57 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.B.V.Virdhe, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH

45. FIRST APPEAL NO. 2667 OF 2023

Devidas Rajaram Bhil (Malache)

Age: 56 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Deputy Collector
(Land Acquisition) No.1,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule,

3] The Collector, Dhule .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.K.B.Jadhavar, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**46. FIRST APPEAL NO. 2728 OF 2023**

Archana Arun Chandratre

Age: 57 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.K.N.Lokhande, AGP for the respondent-State.

Mr.A.D.Pawar, Advocate for the respondent no.2.

...

WITH**47. FIRST APPEAL NO. 2918 OF 2023**

Prakash Sardar Girase

Age: 50 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Deputy Collector

(Land Acquisition) No.1,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
Dhule

3] The Collector, Dhule. .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Ms.R.P.Gaur, AGP for the respondent-State.

Mrs.Manjusha S. Jagtap-Ware, Advocate for the respondent
no.2.

...

WITH

48. FIRST APPEAL NO. 2919 OF 2023

Kisan Shankar Bhil (More)

Age: 60 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule .. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.N.T.Bhagat, AGP for the respondent-State.

Ms.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.2.

...

WITH**49. FIRST APPEAL NO. 2920 OF 2023**

Ramsing Jamsing Girase

Age: 76 years, Occ : Agriculture,

R/o. Divi, Tal. Shindkheda,

Dist : Dhule

.. APPELLANT

[Ori.Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule.

2] The Executive Engineer,
Dhule Medium Irrigation, Division No.1,
For the Divi Village – Wadi Shewadi
Medium Project, Divi, Tal:Shindkheda,
Sinchan Bhavan, Sakri Road, Dhule.

3] The Collector, Dhule
Collector Office, Dhule

.. RESPONDENTS

...

Mr.A.B.Kale, Advocate for the appellant.

Mr.B.V.Virdhe, AGP for the respondent-State.

Ms.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.2.

...

CORAM : ARUN R. PEDNEKER, J.**DATE : 11.09.2023****P.C. :**

1] Heard the learned counsel for the appellants.

The appellants – original claimants have challenged the

respective impugned awards passed by the Reference Court in these First Appeals.

2] The learned counsel for the appellants submits that in the identical matters arising out of the same acquisition proceedings, this Court, by order dated 17th July, 2023 in First Appeal No.1135 of 2023 along with connected matters has passed the following orders, which reads thus :

1. *Heard rival submissions.*

2. *All these appeals are filed by the respective appellants – claimants challenging the respective impugned judgments and awards passed by the learned Civil Judge Senior Division, Dhule in their respective Land Acquisition References.*

3. *It is brought to the notice by the learned Counsel – Mr.A.B.Kale for the appellants – claimants that the other connected matters arising out of the same acquisition were already settled in Lok Adalat dated 8th February, 2020 by way of compromise between the appellants – claimants therein and the respondent – acquiring body. It was decided at the relevant time that, acquiring body had accepted to pay compensation amounts in respect of house properties mentioned therein*

to the extent 85% of the valuation reports filed before the learned Reference Court within a period of one year from the date of compromise. Further, it was also agreed by the appellants – claimants therein to accept the interest under Section 20 of the Land Acquisition Act from the date of award instead of date of notification.

4. *It is significant to note that, in view of the said compromise or settlement in the aforesaid Lok Adalat dated 8th February, 2020, this Court vide order dated 27th April, 2023 also disposed off bunch of appeals namely First Appeal No.3738 of 2019 and others arising out of same acquisition, on the same conditions.*

5. *The respective learned Counsel for the respondent – acquiring body in all these appeals also accepted the aforesaid fact of compromise and prayed for disposing the appeals on the same terms and conditions.*

6. *In view of the same, following order is passed:*

ORDER

(i) *All these appeals are partly allowed and the respondent – acquiring body shall pay compensation amount to all these appellants – claimants in respect of their house properties mentioned therein at the rate of 85% of the valuation report submitted by these appellants before the learned Reference Court.*

(ii) *The respondent – acquiring body shall pay the interest under Section 28 of the Land Acquisition Act from the date of award.*

(iii) *The respondent – acquiring body shall deposit the amount of enhanced compensation as aforesaid, within a period of one year from the date of this order directly in Reference Court and on such deposit, all these appellants – claimants are permitted to withdraw their respective amounts of compensation alongwith the interest.*

(iv) *In case the payment is delayed by the respondent – acquiring body even after period of one year then it shall carry the statutory interest till its realization.*

(v) *The concerned appellants – claimants are directed to pay the deficit Court fees, if any, at the time of modification of awards.*

(vi) *The awards be modified accordingly and the pending Civil Applications, if any, also stand disposed of.*

3] The learned counsel appearing for the respondents have not disputed the fact that the present appeals are identical to the First Appeal No.1135 of 2023 and connected matters.

4] In view of the same, I pass the following order :

ORDER

i] All these appeals are partly allowed and the respondent – acquiring body shall pay compensation amount to all these appellants – claimants in respect of their house properties mentioned therein at the rate of 85% of the valuation report submitted by these appellants before the learned Reference Court.

ii] The respondent – acquiring body shall pay the interest under Section 28 of the Land Acquisition Act from the date of award.

iii] The respondent – acquiring body shall deposit the amount of enhanced compensation as aforesaid, within a period of one year from the date of this order directly in Reference Court and on such deposit, all these appellants – claimants are permitted to withdraw their respective amounts of compensation alongwith the interest.

iv] In case the payment is delayed by the respondent – acquiring body even after period of one year then it shall carry the statutory interest till its realization.

v] The concerned appellants – claimants are directed

to pay the deficit Court fees, if any, at the time of modification of awards.

vi] The awards be modified accordingly and the pending Civil Applications, if any, also stand disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC