

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

66. CIVIL APPLICATION NO.11300 OF 2023
IN FIRST APPEAL STAMP NO.22629 OF 2023
WITH
FIRST APPEAL STAMP NO.22629 OF 2023

Kesharbai Mansing Girase,
Age : 87 years, Occ : Agriculture,
R/o. Divi, Tal. Shindkheda,
Dist:Dhule.

..APPELLANT
[Original 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 Project
Department No.1, Dhule.
- ..RESPONDENTS
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the applicant-appellant.
Mr.K.N.Lokhande, AGP for the respondent-State
Mrs.Manjusha S. Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH
67. CIVIL APPLICATION NO.11301 OF 2023
IN FIRST APPEAL STAMP NO.22848 OF 2023
WITH
FIRST APPEAL STAMP NO.22848 OF 2023

Pundlik Suka Chaudhari [died]
Through LRs

- 1] Ashok Pundlik Chaudhari
Age: 43 years, Occ : Agriculture
- 2] Suresh Pundlik Chaudhari
Age: 40 years, Occ : Agriculture
- 3] Rekhabai Pundlik Chaudhari
Age: 38 years, Occ : Agriculture / Household
- 4] Sunitabai Prakash Chaudhari
Age: 34 years, occ : Agriculture / Household.
- 5] Anitabai Shankar Chaudhari,
Age: 32 years, Occ : Agriculture / Household
- 6] Khatabai Pundlik Chaudhari
Age: 69 years, Occ: Agriculture / Household

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

.. APPELLANTS
[Original Claimants]

VERSUS

- 1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule
Tal. & Dist: Dhule
- 2] The Executive Engineer,
Dhule Medium Irrigation, Project 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
Tal.& Dist: Dhule.

.. RESPONDENTS
[Original 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

68. CIVIL APPLICATION NO.11302 OF 2023
IN FIRST APPEAL STAMP NO.23052 OF 2023

WITH

FIRST APPEAL STAMP NO. 23052 OF 2023

Suka Kalu Girase (died)
Through LRs

- 1] Komalsing Suka Girase
Age: 67 years, Occ : Agriculture
- 2] Rajendra Suka Girase
Age: 65 years, Occ : Agriculture
- 3] Ganpat Suka Girase
Age: 60 years, Occ : Agriculture
- 4] Indubai Ranjitsing Girase
Age: 63 years, Occ : Household
- 5] Nankorbai Suka Girase
Age: 85 years, Occ : Nil
All R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANTS
[Original 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 Project
Department No.1, Dhule. ..RESPONDENTS
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.N.T.Bhagat, AGP for the respondent-State
Mrs.Manjusha S. Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

69. CIVIL APPLICATION NO.11303 OF 2023
IN FIRST APPEAL STAMP NO.23045 OF 2023

WITH

FIRST APPEAL STAMP NO. 23045 OF 2023

Pandharinath Vishnu Wani (Shirude)

Age: 79 year, Occ : Agriculture

R/o : Divi, Tal : Shindkheda,

Dist : Dhule.

APPELLANTS
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the applicant - appellant.
Mr.B.V.Virdhe, AGP for the respondent-State
Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

70. CIVIL APPLICATION NO.11304 OF 2023
IN FIRST APPEAL STAMP NO.22942 OF 2023

WITH

FIRST APPEAL STAMP NO. 22942 OF 2023

Pandit Aadhar Mistari (died)
Through LRs

- 1] Ramesh Pandit Sutar
Age: 62 years, Occ : Agriculture
- 2] Ranjeet @ Ranju Pandit Sutar
Age: 58 years, Occ : Agriculture
- 3] Ravindra Pandit Sutar
Age: 60 years, Occ : Agriculture / Household
All R/o : Divi, Tal : Shindkheda,
Dist : Dhule.
- 4] Mangla Pitamber Sutar
Age: 64 years, Occ : Agriculture / Household
R/o. Kandewali, Mumbai
- 5] Sangita @ Asha Rajendra Wagh
Age: 56 years, Occ : Agriculture / Household
R/o. Vadgaon, Tal : Haweli
- 6] Yamunabai Pandit Sutar
Age: 83 years, Occ : Agriculture / Household
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANTS
[Original Claimants]

VERSUS

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

Tal. & Dist: Dhule

2] The Executive Engineer,
Dhule Medium Irrigation, Project 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
Tal.& Dist: Dhule.

.. RESPONDENTS
[Original Respondents]

...

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

...

WITH

71. CIVIL APPLICATION NO.11305 OF 2023
IN FIRST APPEAL STAMP NO.22636 OF 2023

WITH

FIRST APPEAL STAMP NO. 22636 OF 2023

Hiraman Dewaji Chaudhari
Age: 79 years, Occ : Agriculture
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original Claimant]

VERSUS

1] The Special Land Acquisition Officer,
Medium Irrigation Project, Dhule
Tal. & Dist: Dhule

2] The Executive Engineer,
Dhule Medium Irrigation, Project 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
Tal.& Dist: Dhule.

.. RESPONDENTS
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.N.Lokhande, AGP for the respondent-State
Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

90. FIRST APPEAL STAMP NO. 18483 OF 2023

Sitabai Himmat Malache (Bhil)
Age: 65 years, Occ : Household
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

...

WITH

91. FIRST APPEAL STAMP NO. 18480 OF 2023

Aasaram Deoram Bhil (died)
Through LR

- 1] Sojabai Aasaram Bhil
Age: 55 years, Occ : Household
R/o : Divi, Tal : Shindkheda,
Dist : Dhule. APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

92. FIRST APPEAL STAMP NO. 18482 OF 2023

Sanjay Shama Bhil
Age: 35 year, Occ : Agriculture
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

93. FIRST APPEAL STAMP NO. 18422 OF 2023

Bharatsing Narayansing Girase
Age: 56 years, Occ : Agriculture
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

Mr.N.T.Bhagat, AGP for the respondent-State
Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

94. FIRST APPEAL STAMP NO. 18424 OF 2023

Sadashiv Natha Bhil (died)
Through LR

- 1] Banabai Sadashiv Thakare (Bhil)
Age: 55 year, Occ : Agriculture
R/o : Divi, Tal : Shindkheda,
Dist : Dhule. APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

Mr.B.V.Virdhe, AGP for the respondent-State
Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

95. FIRST APPEAL STAMP NO. 18477 OF 2023

Dalpat Paulat Girase
Age: 67 year, Occ : Agriculture

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

APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

96. FIRST APPEAL STAMP NO. 18474 OF 2023

Ananda Kautik Pawar,
Age: 53 year, Occ : Agriculture
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

97. FIRST APPEAL STAMP NO.18433 OF 2023

Sukdeo Tanaku Malche (Bhil)

Age: 50 years, Occ : Agriculture

R/o : Divi, Tal : Shindkheda,

Dist : Dhule.

APPELLANT

[Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

98. FIRST APPEAL STAMP NO. 18419 OF 2023

Daga Nago Girase
 Age: 65 years, Occ : Agriculture
 R/o : Divi, Tal : Shindkheda,
 Dist : Dhule.

APPELLANT
 [Original 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
 [Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
 for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

99. FIRST APPEAL STAMP NO. 18476 OF 2023

Bandu Fakira Bhil (Died)
 Through LR

- 1] Lilabai Bandu Bhil (Malche),
 Age: 70 years, Occ : Household
 R/o : Divi, Tal : Shindkheda,
 Dist : Dhule.

APPELLANT
 [Original 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
[Original Respondents]

...

Mr.B.K.Pawar, Advocate holding for Mr.A.B.Kale, Advocate
for the appellant.

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

Mr.V.V.Tarde, Advocate for the respondent no.3.

...

WITH

106. CIVIL APPLICATION NO.11382 OF 2023
IN FIRST APPEAL STAMP NO. 5816 OF 2023

WITH

FIRST APPEAL STAMP NO. 5816 OF 2023

Gulchand Shivram Bhil (Malche),
Age: 54 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

107. CIVIL APPLICATION NO.11383 OF 2023
IN FIRST APPEAL STAMP NO. 5819 OF 2023

WITH

FIRST APPEAL STAMP NO. 5819 OF 2023

Vijay Mahadu Pawar

Age: 49 years, Occ : Agriculture,

R/o : Divi, Tal : Shindkheda,

Dist : Dhule.

APPELLANT

[Original 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

[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

108. CIVIL APPLICATION NO.11384 OF 2023
IN FIRST APPEAL STAMP NO. 5822 OF 2023

WITH

FIRST APPEAL STAMP NO. 5822 OF 2023

Malya Lalya Bhil (died)
Through LRs
Fulabai Malya Malche,
Age: Major, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

109. CIVIL APPLICATION NO.11385 OF 2023
IN FIRST APPEAL STAMP NO. 5805 OF 2023

WITH

FIRST APPEAL STAMP NO. 5805 OF 2023

Bhura Shivram Chavhan (Bhil),
Age: 54 year, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original 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.3.

...

WITH

110. CIVIL APPLICATION NO.11386 OF 2023
 IN FIRST APPEAL STAMP NO. 5813 OF 2023

WITH

FIRST APPEAL STAMP NO. 5813 OF 2023

Nhanbhau Goju Bhil (Malche),
 Age: 56 years, Occ : Agriculture,
 R/o : Divi, Tal : Shindkheda,
 Dist : Dhule.

APPELLANT
 [Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

111. CIVIL APPLICATION NO.11387 OF 2023
IN FIRST APPEAL STAMP NO. 8841 OF 2023

WITH

FIRST APPEAL STAMP NO. 8841 OF 2023

Kamalbhai Chindha Girase,
Age: 66 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

112. CIVIL APPLICATION NO.11388 OF 2023
IN FIRST APPEAL STAMP NO. 5803 OF 2023

WITH

FIRST APPEAL STAMP NO. 5803 OF 2023

Kashinath Vishnu Shirude,
Age: 77 year, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.B.Jadhavar, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

113. CIVIL APPLICATION NO.11389 OF 2023
IN FIRST APPEAL STAMP NO. 5826 OF 2023
WITH FIRST APPEAL STAMP NO. 5826 OF 2023

Sanjay Suka Pawar
Age: 52 year, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
 Mr.K.N.Lokhande, AGP for the respondent-State
 Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
 no.3.

...

WITH

114. CIVIL APPLICATION NO.11392 OF 2023
 IN FIRST APPEAL STAMP NO. 8785 OF 2023

WITH

FIRST APPEAL STAMP NO. 8785 OF 2023

Chindha Guman Girase,
 Age: 66 years, Occ : Agriculture,
 R/o : Divi, Tal : Shindkheda,
 Dist : Dhule.

APPELLANT
 [Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the applicant - appellant.
Ms.R.P.Gaur, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

116. CIVIL APPLICATION NO.11404 OF 2023
IN FIRST APPEAL STAMP NO. 8782 OF 2023

WITH

FIRST APPEAL STAMP NO. 8782 OF 2023

Motilal Gulchand Bhil (Chavhan)
Age: 42 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.B.V.Virdhe, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

117. CIVIL APPLICATION NO.11405 OF 2023
IN FIRST APPEAL STAMP NO. 8839 OF 2023

WITH

FIRST APPEAL STAMP NO. 8839 OF 2023

Bhiva Shivram Chavhan (Bhil),
Age: 58 year, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the applicant - appellant.
Mr.K.B.Jadhavar, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

118. CIVIL APPLICATION NO.11406 OF 2023
IN FIRST APPEAL STAMP NO. 8840 OF 2023
WITH FIRST APPEAL STAMP NO. 8840 OF 2023

Bapu Ratan More (Bhil)
Age: 66 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
 Mr.K.N.Lokhande, AGP for the respondent-State
 Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
 no.3.

...

WITH

119. CIVIL APPLICATION NO.11407 OF 2023
 IN FIRST APPEAL STAMP NO. 8783 OF 2023

WITH

FIRST APPEAL STAMP NO. 8783 OF 2023

Jaipal Chindha Girase
 Age: 47 year, Occ : Agriculture,
 R/o : Divi, Tal : Shindkheda,
 Dist : Dhule. APPELLANT
[Original 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
[Original 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.3.

...

WITH

120. CIVIL APPLICATION NO.11408 OF 2023
IN FIRST APPEAL STAMP NO. 8843 OF 2023

WITH

FIRST APPEAL STAMP NO. 8843 OF 2023

Chindha Guman Girase
Age: 66 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule. APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.N.T.Bhagat, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

121. CIVIL APPLICATION NO.11409 OF 2023
IN FIRST APPEAL STAMP NO. 5807 OF 2023

WITH

FIRST APPEAL STAMP NO. 5807 OF 2023

Diwan Bandu @ Sukhram Malche (Bhil)

Age: 57 years, Occ : Agriculture,

R/o : Divi, Tal : Shindkheda,

Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH

122. CIVIL APPLICATION NO.11410 OF 2023
IN FIRST APPEAL STAMP NO. 5810 OF 2023
WITH FIRST APPEAL STAMP NO. 5810 OF 2023

Haribhau Keshav Shirude (Wani),

Age: 64 years, Occ : Agriculture,

R/o : Divi, Tal : Shindkheda,

Dist : Dhule.

APPELLANT
[Original 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
[Original Respondents]

...

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

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

Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

WITH123. CIVIL APPLICATION NO.11411 OF 2023
IN FIRST APPEAL STAMP NO. 5800 OF 2023**WITH**

FIRST APPEAL STAMP NO. 5800 OF 2023

Pratapsing Bhilesing Girase,
Age: 58 years, Occ : Agriculture,
R/o : Divi, Tal : Shindkheda,
Dist : Dhule.APPELLANT
[Original 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
[Original Respondents]

...

Mr.A.B.Kale, Advocate for the appellant.
Mr.K.N.Lokhande, AGP for the respondent-State
Mrs.Manjusha S.Jagtap-Ware, Advocate for the respondent
no.3.

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.09.2023

P.C. :

A] ORDER IN CIVIL APPLICATIONS FOR DELAY

1] The present Civil Applications are filed to condone the delay in filing the First Appeals. The delay in these matters has not exceeded 330 days.

2] For the reasons stated in the Civil Applications, the same are allowed. Delay is condoned. Civil Application are disposed of accordingly.

B] ORDER IN CIVIL APPLICATIONS FOR RESTORATION OF FIRST APPEALS :

1] The present Civil Applications are filed to restore the First Appeals by condoning the delay in filing the present Civil Applications.

2] For the reasons stated in the Civil Applications, the same are allowed. Delay is condoned in filing the Civil Applications. The First Appeals are restored to its original position. Civil Applications are disposed of accordingly.

C] ORDER IN FIRST APPEALS

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