



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

908 FIRST APPEAL NO. 2000 OF 2014

Rangnath Ashroba Honde,
Age 35 years, Occupation Agri.,
R/o Hondegaon Tq. Partur,
Dist. Jalna.

**..Appellant
(Original Petitioner)**

VERSUS

1. The State of Maharashtra,
Through the Collector, Jalna,
having his office at Collector
Office, Jalna.

2. The Special Land Acquisition
Officer, M.I.W. Jalna. Having his
office at Collector Office, Jalna.

3. The Executive Engineer,
Nimna Dudhna Project,
Having his Office at Jayakwadi,
Selu Tq. Selu Dist.Parbhani.

**..Respondents
(Original Respondents)**

...
Advocate for Appellant : Mr. S. M. Kakde h/f Kakade Deepak M.
AGP for Respondents: Ms. P. R. Bharaswadkar
Advocate for Respondent No.3 : Mr. B. R. Survase
...

CORAM : ARUN R. PEDNEKER, J.

Dated : January 25, 2024

ORAL ORDER :-

1] In the connected First Appeal arising out of the same acquisition proceedings and in identical situation, this Court has passed the order

in First Appeal No.2939 of 2021, so also, the said order was followed in First Appeal Nos.4158 of 2023 along with connected First Appeals by order dated 3rd November, 2023.

2] The learned counsel for the respondents has not disputed that the present First Appeal is identical in nature.

3] In view of the same, the order dated 3rd November, 2023 passed in First Appeal No.4158 of 2023 along with connected first appeals would also be applicable to the present First Appeal. As such, I proceed to pass the following order :

ORDER

i] The First Appeal is partly allowed as under :

ii] Award passed in LAR No.404/1998 be modified as per the rate of compensation of Rs.2250/- per R. for the dry land.

iii] The appellant is entitled to get interest under Section 28 and 34 of the Land Acquisition Act, 1894 from the date of award in the appeal where delay is not caused in filing the appeal. The appellant would not claim interest or statutory benefits for the delayed period in filing the appeal as delay was condoned on the submission of the appellant, that the appellant would not claim interest or statutory benefits for delayed period.

iv] The appellant is entitled to get 12% interest per annum as special component from the date of notification under Section 4 (1) of the Act till the date of passing award under Section 23 (1) (a) of the Act.

v] The appellant is entitled to get 30% solatium on the different of market value under Section 23 (2) of the Act.

vi] Liberty is granted to pay deficit court fees, if any.

vii] The award be modified accordingly. No order as to costs. Record and proceedings be sent back to the Lower Court.

The appeal is accordingly disposed of.

(ARUN R. PEDNEKER, J.)