



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 2352 OF 2017

WITH FIRST APPEAL NO. 2284 OF 2017 WITH FIRST APPEAL NO. 2268 OF 2017
WITH FIRST APPEAL NO. 2267 OF 2017 WITH FIRST APPEAL NO. 2266 OF 2017
WITH FIRST APPEAL NO. 2278 OF 2017 WITH FIRST APPEAL NO. 2236 OF 2017
WITH FIRST APPEAL NO. 2242 OF 2017 WITH FIRST APPEAL NO. 2241 OF 2017
WITH FIRST APPEAL NO. 2238 OF 2017 WITH FIRST APPEAL NO. 2419 OF 2017
WITH FIRST APPEAL NO. 2281 OF 2017 WITH FIRST APPEAL NO. 2371 OF 2017
WITH FIRST APPEAL NO. 2388 OF 2017 WITH FIRST APPEAL NO. 2282 OF 2017
WITH FIRST APPEAL NO. 2372 OF 2017 WITH FIRST APPEAL NO. 2373 OF 2017
WITH FIRST APPEAL NO. 2421 OF 2017 WITH FIRST APPEAL NO. 2418 OF 2017
WITH FIRST APPEAL NO. 2402 OF 2017 WITH FIRST APPEAL NO. 2404 OF 2017
WITH FIRST APPEAL NO. 2374 OF 2017 WITH FIRST APPEAL NO. 2290 OF 2017
WITH FIRST APPEAL NO. 2338 OF 2017 WITH FIRST APPEAL NO. 2428 OF 2017
WITH FIRST APPEAL NO. 4909 OF 2017 WITH FIRST APPEAL NO. 4916 OF 2017
WITH FIRST APPEAL NO. 2280 OF 2017 WITH FIRST APPEAL NO. 2387 OF 2017
WITH FIRST APPEAL NO. 2420 OF 2017 WITH FIRST APPEAL NO. 2234 OF 2017
WITH FIRST APPEAL NO. 2254 OF 2017 WITH FIRST APPEAL NO. 2249 OF 2017
WITH FIRST APPEAL NO. 1329 OF 2017

SHANTABAI NARAYAN BAVASKAR (DIED) THR LRS PANDIT AND ORS
VERSUS

THE SPECIAL LAND ACQUISITION OFFICER, UPPER TAPI PROJECT
(HATNUR) JALGAON AND ANR

Mr. Ajeet B. Kale, Advocate for the appellants
Mr. S. V. Hange, AGP for the respondent/State
Mr. V. V. Tarde, Advocate for respondent No.2 in FA Nos. 2234/2017,
2254/2017, 2338/2017, 2249/2017, 2428/2017
Mr. Darshan Pokharkar, Advocate for respondent No.2 in FA Nos.
2267/2017, 2238/2017, 2372/2017, 2421/2017, 2388/2017, 2241/2017

CORAM : R. M. JOSHI, J.

DATE : 13th FEBRUARY, 2024

P.C. :-

1. Learned counsel for the appellants submits that these matters can be disposed of in terms of order dated 02/11/2023 passed in First Appeal No. 1115 of 2021 along with other connected matters. He has placed on record joint pursis along with chart of all appeals which is duly signed by respective learned counsels. The same is taken on record and marked as 'X' for the purpose of identification. Learned counsels for acquiring body record consent to pass order in the said terms.

2. Considering aforestated joint prayer by appellants and contesting respondents there is no impediment to pass order in terms of order dated 02/11/2023 passed in First Appeal No.1115 of 2021 along with connected matters. Hence following order:

ORDER

- i) The award of the Reference Court is modified to the extent of Bagayat land and the appellants are granted compensation of Rs. 4 lacs per hectare to the Bagayat land and as far as trees are concerned, the claimants are entitled to receive compensation to the extent of 80% of the amount of the valuation report.
- ii) Remaining compensation and interest would be worked out accordingly by the Executing Court. Other statutory benefits would also be worked out by the Executing Court. Executing Court to take into consideration the orders passed, if any, while condoning the

delay in filing appeal while computing the interest and statutory benefits for the delayed period.

iii) Award be modified accordingly. First Appeals are disposed of. All pending Civil Applications, if any, stand disposed of.

iv) If all the office objections are not removed within stipulated period, this order shall not be executed.

(R. M. JOSHI, J.)

ssp