



This Order is modified/corrected by Speaking to Minutes Order dated 24.09.2024

908-FA-932-18 (+1)C

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 932 OF 2018

Prakash Vishwanath Akat
VERSUS
The State Of Maharashtra And Others

AND
FIRST APPEAL NO. 933 OF 2018

Sonaji Rambhau Akat
VERSUS
The State Of Maharashtra And Others

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Mr. Kailas B. Jadhav, Advocate for Appellants
Mr. D.J. Patil, AGP for Respondents No.1 and 2
Mr. B.R. Surwase, Advocate for Respondent No.3

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th SEPTEMBER, 2024

ORDER :

1. Heard finally with the consent of both the sides at admission stage.

2. Admittedly, these appeals are covered by the decision of this Court in First Appeal Nos.1141/2018 and 1125/2018 dated 04.04.2022 passed in favour of similarly situated claimants, whose lands were also acquired in the same acquisition process under the different notification.

3. In that view of the matter and for the reasons recorded in order dated 04.04.2022 in First Appeal No.1141 of 2018, these appeals are partly allowed as under:

ORDER

- (i) The award passed in L.A.R. No.69/2001 and L.A.R. No.198/2000 be modified as per the rate of compensation accepted by the acquiring body and discussed in para No.6 of order dated 04.04.2022 in First Appeal No.1141 of 2018.
- (ii) The claimants shall be entitled to get the interest under section 28 and 34 of the Land Acquisition Act, 1894 from the date of the award.
- (iii) The claimants shall be entitled to get 12% interest per annum as a special component from the date of notification under section 4(1) of the Act till the date of passing of award i.e. 31.03.1999 under section 23(1A) of the Act.
- (iv) The awards be modified accordingly.
- (v) No order as to costs.
- (vi) Both the appeals are accordingly disposed of.

**[NITIN B. SURYAWANSHI]
JUDGE**