



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

911 FIRST APPEAL NO. 3461 OF 2017

Tulshiram Damu Chaudhari (Died) Thr Lrs
Vimalbai And Others ...Appellants

VERSUS

The State Of Maharashtra And Others ...Respondents

.....

912 FIRST APPEAL NO. 3462 OF 2017

Goba Dhondu Mistri (died) Thr Ramesh
And OthersAppellants

VERSUS

The Collector, Jalgaon And OthersRespondents

.....

913 FIRST APPEAL NO. 3463 OF 2017

Ramdas Ravji GawandeAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....

914 FIRST APPEAL NO. 3468 OF 2017

Kalabai Madhavrao JadhavAppellant

VERSUS

The Collector, Jalgaon And OthersRespondents

.....

919 FIRST APPEAL NO. 3611 OF 2019

Nivrutti Pundlik Kalbaile And AnotherAppellants

VERSUS

The Collector, Jalgaon And OthersRespondents

.....

920 FIRST APPEAL NO. 3809 OF 2019

Natthu Dashrath Vasane (Died) Thr Lrs
Mathurabai And Others

....Appellants

VERSUS

The Special Land Acquisition Officer
No. 1 Jalgaon And Another

.....Respondents

.....

WITH

FIRST APPEAL NO. 2138 OF 2017

Eknath Ravji Gavande

.....Appellant

VERSUS

The Collector, Jalgaon And Others

.....Respondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellants in all
appeals

Mr. S.B. Jadhav, AGP for State in FA Nos. 3461/2017,
3463/2017, 3809/2019 and 2138/2017.

Mr. B.B. Bhise, AGP for State in FA Nos. 3462/2017, 3468/2017
and 3611/2019

Mr. V.V. Tarde, Advocate for respondent No. 2

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 11th JULY, 2024

ORDER :

1. Heard.
2. Learned advocates for the respective parties jointly submit that these appeals are covered by the decision dated 11.09.2023 in First Appeal No. 2563 of 2023 (Narendra Vijaysingh Girase vs. The Collector, Dhule and Others) and connected matters. In this view of the matter, 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] In the matters, wherein there is no delay, the respondent/acquiring body shall pay the interest under Section 28 of the Land Acquisition Act from the date 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 the matters, wherein delay is condoned in filing appeals, the appellants/claimants are not entitled for the interest and statutory benefits for the delayed period.
- v] 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.

- vi] The concerned appellants/claimants are directed to pay the deficit Court fees, if any, at the time of modification of awards.
- vii] The awards be modified accordingly and the pending Civil Applications, if any, also stand disposed of.
- viii] All the first appeals are disposed of.

[NITIN B. SURYAWANSHI, J.]