



This order is corrected as per speaking to the minutes order dated 12/08/2024

1

19-XObj-99-22 (crct).odt

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

**CROSS OBJECTION NO. 99 OF 2022
IN FA/1610/2019**

VAIJANATH BHIMRAO NAGARGOJE (DIED) THROUGH L.RS. BALAJI
VAIJANATH NAGARGOJE AND OTHERS

VERSUS

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION, THROUGH IT'S EXECUTIVE ENGINEER, MINOR
IRRIGATION DIVISION, LATUR AND OTHERS

...

Mr. B.R. Kedar, Advocate for Applicant
Mr. S.B. Jadhav, AGP for Respondents/State
Mr. Prashant S. Shinde, Advocate for Respondent No.1

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th JULY, 2024

PER COURT :

1. This cross objection is filed by original claimants in L.A.R. No.72/2009, seeking enhancement of compensation awarded by the reference Court. Reference Court has awarded compensation @ Rs.2,00,000/- per Acre.

2. Learned advocate for appellant has placed on record copy of the orders dated 07/01/2019 passed by this Court in First Appeal No.256/2011 and First Appeal No.110/2011 and connected first appeals, which was delivered in respect of same Gut No.215 of village Khalangri, Tal. Renapur, Dist. Latur. This Court in both the decisions has enhanced compensation @ Rs.12890.6/- per Are for seasonally irrigated land, which includes Gut No.215.Claimants are owners of part of Gut No. 215.

3. Learned advocate for acquiring body has opposed the prayer of claimants, however, in view of above decisions rendered by this Court, there is no merit in opposition.

4. For the reasons stated in the order dated 07/01/2019 passed by this Court in First Appeal No.256/2011, cross Objection is allowed. Claimants are held entitled to compensation @ Rs.12890.6/- per Are for seasonally irrigated land Gut No.215.

5. In addition, claimants are entitled to statutory benefit under Section 23(1A) of the Land Acquisition Act, 1894, from the date of notification under 4 of the Act to the date of passing of the award i.e. from 09/06/2005 to 02/05/2013. Claimants are also entitled to solatium i.e. 30 per cent of the market value of the acquired land under Section 23(2) of the Act. Claimants are also entitled to interest under Section 28 of the Act at the rate of nine per cent per annum on the enhanced compensation, solatium and component amount, from 02/05/2013 i.e. the date of award for first year and thereafter at the rate of 15 per cent per annum till the date of deposit of compensation, solatium and component amount. Award be modified accordingly.

(NITIN B. SURYAWANSHI, J.)