



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

6 FIRST APPEAL NO. 3239 OF 2023

Baburao Dayaram Mahajan

VERSUS

The Special Land Acq. Officer And Ors

7 FIRST APPEAL NO. 3245 OF 2023

Prakash Raghunath Mahajan And Ors

VERSUS

The Special Land Acq. Officer And Ors

Mr. A. B. Kale, Advocate for Appellants

Mr. S. R. Patil, Advocate for Respondent No. 2 in FA/3239/2023

Mr. K. N. Lokhande, AGP for State in FA/3239/2023

Mr. S. D. Pokharkar, Advocate for Respondent No. 2 in FA/3245/2023

Mr. S. K. Shirse, AGP for State in FA/3245/2023

CORAM : R. M. JOSHI, J.

DATE : 28 July, 2025

PER COURT :-

1. Learned counsel for both sides are unanimous to state that order dated 28.02.2024 passed in First Appeal No. 706/2007 and other connected First Appeals arise out of the same acquisition as in these Appeals. They also confirm the fact that Judgment of Division Bench of this Court in case of *Special Land Acquisition Officer (III), Jalgaon Vs. Bhagwat Vithal Sonwane 2009 (4) Mh.L.J. 308* has application to the present case.

2. However, according to learned counsel for Respondents,

modification is required in the said order is that the appellants be entitled to receive the interest from the date of award.

3. Learned counsel for appellants records no objection for such modification. Hence, the following order :-

i) Award of reference Court is modified and the compensation of Rs. 4,00,000/- (Four Lakhs) per hector is granted to the appellants since the land in question is irrigated land.

ii) As far as trees are concerned, claimants are entitled to receive compensation to the extent of 80% amount of valuation report.

iii) Claimants will be entitled for statutory benefits and interest on the enhanced amount of interest however shall be from the date of award till the realization of the amount.

iv) The appellants would not be entitled to receive any interest for the period of delay caused in filing of these appeals.

4. Award is modified according. Hence, both First Appeals stand allowed in above terms.

(R. M. JOSHI, J.)

bsj