



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
FIRST APPEAL NO. 1156 OF 2006

1. Ram Laxman Anadgaonkar
Died through L.Rs.
- 1/1. Laxmibai wd/o Ramrao Anadgaonkar,
Age: 70 years, Occu: Household.
- 1/2. Samadhan s/o Ramrao Anadgaonkar,
Age: 37 years, Occu: Agri.
- 1/3. Sangram s/o Ramrao Anadgaonkar,
Age: 32 years, Occu: Household

All r/o Matola, Tq. Ausa,
Dist. Latur.

.....APPELLANTS

VERSUS

State Of Maharashtra
Through Collector, Latur

.....RESPONDENT
(Orig. Respondent)

Mr. S. S. Manale, Advocate for Appellants
Mr. D. J. Patil, AGP for Respondent-State

CORAM : SANJAY A. DESHMUKH, J.
DATED : 02nd DECEMBER, 2025

JUDGMENT :-

1. This appeal is preferred against the impugned judgment and award passed by the learned Reference Court, Latur, Dist. Latur in Land Acquisition Reference No.294 of 1987, dated 29.11.2001. By the

impugned judgment and award, claimant's claim was partly allowed by the learned Reference Court, Latur.

2. Agricultural land situated in village Matola, Taluka Ausa, District Latur bearing block no.241/B, and admeasuring 2H 17R of the claimant was acquired for the Lower Terna Project for construction of the dam.

3. Learned Advocate Mr. S. S. Manale for the appellants pointed out the pleadings and submitted that the learned Special Land Acquisition Officer as well as the learned Reference Court did not consider the evidence on record and the quality of the land in its proper perspective and awarded a lesser amount of compensation. He pointed out the judgment of the learned Reference Court in Land Acquisition Reference No.660 of 1989, dated 08.06.1998, in which the lands of the claimants arising out of the same village were acquired for the same project by the same notification. He pointed out concluding paragraph no.8 of the said judgment, in which the learned Reference Court while deciding the land reference arising out of one and the same project held that claimants are entitled for compensation @Rs.20,000/- per acre for dry land and Rs.25,000/- per acre for irrigated land. He submitted that the appellant/claimant is entitled to parity.

4. Learned AGP Mr. D. J. Patil for the respondent-State strongly opposed the appeal and submitted that the reasonable amount of compensation is awarded by the learned Reference Court after considering entire evidence on record. He submitted that interference is not warranted in the impugned judgment and award. It is lastly prayed to dismiss the appeal.

5. On perusal of the impugned judgment and award of the learned Reference Court relied upon by the learned Advocate for the appellant, this Court is of the view that agricultural land of the present appellant and the claimants in Land Acquisition Reference No.660 of 1989 is of the same village i.e. Matola, Tahsil Ausa, District Latur, which was acquired for one and the same project and notification. Therefore, claimants/appellants in the present First Appeal are certainly entitled to the same rate of compensation on the principle of parity. Therefore, interference is warranted in the impugned judgment and award. The appeal deserves to be allowed. Hence, the following order:

ORDER

- a. The First Appeal is partly allowed.
- b. The impugned judgment and award is set aside and modified as under :-

- c. Claimant is entitled for the compensation @Rs.25,000/- per acre for the irrigated land alongwith all the statutory benefits and interest, etc.
- d. If the court fees is not paid for the said amount, on payment of the Court fees the amount of compensation shall be paid to the claimant.
- e. The respondent-Acquiring Authority is directed to deposit the entire amount of compensation within 12 weeks from today.
- f. Award be drawn up.

(SANJAY A. DESHMUKH, J.)