



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

13 FIRST APPEAL NO. 257 OF 2023

MADHAV GANPATI LANGOTE

VERSUS

THE STATE OF MAHARASHTRA THR DISTRICT COLLECTOR, NANDED
AND ORS

...

WITH

FIRST APPEAL NO. 1400 OF 2023

GOVIND BHURAO LANGOTE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 599 OF 2022

HANUMANT S/O GYANOBA JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 1468 OF 2022

ATMARAM S/O MANIKA LANGOTE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 763 OF 2022

VYANKAT S/O BAPURAO TIPRALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 760 OF 2022

SHIVAJI S/O KESHAV GADHAVE

VERSUS

THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 746 OF 2022
BAPURAO S/O MARUTI GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 717 OF 2022
RAJESH S/O KERBA SONKAMBLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1594 OF 2022
TULSHIRAM S/O SAHADEO GADHAVE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1536 OF 2022
VILAS S/O VYANKAT GADAVE DIED THR. LRS. PADMAWATI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1534 OF 2022
DADARAO S/O VITTHAL LONOTE (DIED) THR. LRS. DATTA AND
ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1506 OF 2022
RENUKABAI W/O GANPAT LANGOTE
VERSUS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH
FIRST APPEAL NO. 1474 OF 2022
SHESHERAO TUKARAM GADAVE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1473 OF 2022
EKNATH GOVIND LANGOTE AND ANR.
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 1471 OF 2022
VENKAT BHIMRAO TARANGE DIED THR. VILAS DIED THR GAJARBAI DIED
THR. PADMAWAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 4099 OF 2022
NIVRUTTI S/O PARBATA LANGOTE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 3297 OF 2022
ANUSAYABAI W/O SAMBHA (DIED) THROUGH L.RS. KONDABAI D/O
SAMBHA
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 3296 OF 2022
NIVRUTTI S/O MAHADU SONKAMBLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...
WITH
FIRST APPEAL NO. 3295 OF 2022

PANDHARI S/O BHIMRAO DIED THROUGH L.RS. MATHURABAI
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

WITH

FIRST APPEAL NO. 2845 OF 2022

SUBHASH S/O GUNDERAO GADHAVE THROUGH GPA HOLDER
GANGABAI SUBHASH GADHAVE
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS

...

Advocate for Applicants : Mr. U.B. Bilolikar
A.G.P. for Respondent/State : Mr. S.V. Hange
Advocate for Acquiring Body : Mr. Mr. Shamsundar B. Patil, Akash D. Gade,
H.V. Patil, in respective matters.

CORAM : **SHAILESH P. BRAHME, J.**

DATE : **12.12.2025**

PER COURT :

Taken up for final disposal with consent of both sides.

2. Heard both sides.
3. The claimants have approached this Court for enhancement of the compensation being aggrieved by judgment and award passed by the Reference Court on different dates in their respective land acquisition references. All facts are identical. The acquisition of the land is for Lendi Project. The lands in all the appeals are situated at Bhingoli, Tq. Mukhed, Dist. Nanded. All are dry lands.
4. The material particulars of the appeals submitted by the learned counsel for the appellant, which are undisputed, are reproduced in the following chart :

Sr. Nos .	FA. No. & L.A.R.No.	Name of claimants, land Gat No., admg., situated at Bhingoli Tq. Mukhed	SLAO Award Date and amount	Reference Court Enhancement Award Date & amount
1)	FA No. 257/2023, LAR No. 14/2009	Madhav Ganpati Langote, Gat No. 32/B, P-2, 71-R	22.02.2007 Rs. 53,250/- Rs. 750/- per Are Total Rs. 53,250/-	06.05.2017 Rs. 69,225/-, 30% More
2)	FA. No. 3296/2022 LAR No. 277/2011	Nivruti Mahadu Sonkamble Gat No. 34/B/1- 34-R, Gat No. 34/8- 55-R	22.02.2007, Rs. 65,050/- Rs. 700-750 per R Trees- Rs. 5631/- Total Rs.70,681/-	29.07.2021 Rs. 41,203/- for 34-R and Rs. 57750/- for 55-R, total Rs. 98,953/- 40% more
3)	FA 3295/2022 LAR 274/2011	Pandharinath Bhimrao Gadhave died Thr.L.Rs. Gat No. 30/A- 81 R	22.02.2007 Rs. 61,828/- Land Rs. 700/- per R	29.07.2021 Rs. 86,559/- 40% More
4)	FA 3297/2022 LAR 19/2012	Anusayabi Sambha Sonkamble died. Gat No. 34/C- 84-Are, Gat No. 34/A- 29-Are	22.02.2007 Rs. 83,821/- Land Rs. 650- 750/- per R, Trees Rs. 4,662/- Total Rs.88,483/-	14.12.2020 Rs. 91,883/- for 84-R Rs. 26,390/-, Rs.1,18,273/- 40% More
5)	FA 2845/2022 LAR 26/2009	Subhash Gunderao Gadhave died through L.Rs. Gat No. 9- 1H 27-R Gat No. 3- 81-Are	22.02.2007 Rs. 2,66,250/- Land Rs. 650-750 Per R, Trees Rs. 13,500 Total Rs.2,79,750/-	23.04.2019 Rs.3,77,663/- 35%
7)	FA 1594/2022 LAR No.196/2011	Tulshiram Sahadev Gadhave Gat No. 30/B- 26-R Gat No. 30/C- 26-R Gat No. 30P- 50-R Gat No. 30/6 - 16-R	22.02.2007 Rs. 96,954/- Rs. 750/- per R	03.12.2020 Rs.1,35,736/- 40% more
8)	FA 763/2022 LAR 30/2009	Venkat Bapurao Tiprale Gat No. 35/B-1H 68R Gat No. 35/4-1H 59-R Gat No. 36/5- 49-R Gat No. 36/P- 61- R	22.02.2007 Land Rs. 750/- per R. Rs. 3,36,720/- Mango Tree- Rs. 8970/- Total Rs.3,45,690/-	08.05.2019 Rs. 4,54,372/- 35% More

9)	FA 717/2022 LAR 13/2009	Rajesh Kerba Sonkamble Gat No. 34/10 – 40-R Gat No. 34/12 -- 30-R Gat No. 36/6 -- 54-R	22.02.2007 Land Rs. 750/- Per R, Rs. 89,650/- Mango Trees Rs. 16,654/- Total Rs.1,06,269/-	29.05.2019 Rs.1,43,463/- 35% More
11)	FA 760/2022 LAR 02/2009	Shivaji Keshav Gadhave Gat No. 30/A - 80-R Gat No. 30/A P-3-0.32-R Gat No.38/C.P-1- 66-R	22.02.2007 Land Rs.700/- per R, Rs. 1,24,600/- Mango tree Rs. 5128/- Total Rs.1,29,728/-	17.08.2015 Rs. 1,68,846/- 30% More
12)	FA 746/2022 LAR 12/2009	Bapurao Maroti Gaikwad Gat No. 38/C. P-78-R	22.02.2007 Land Rs. 700/- per R, Rs. 54,600/-	30.05.2019 Rs.73,710/- 35% More
13)	FA 599/2022 LAR 11/2009	Hanumant Gyanoba Jadhav Gat No.8/2P – 1H 13-R Gat No.7/2P- 1H 22-R	22.02.2007 Rs.1,76,250/- Land Rs. 750/- per R	10.05.2019 Rs.2,37,938/- 35% More
14)	FA 1400/2023 LAR No.16/2012	Govind Bhaurao Langote died through L.Rs. Gat No. 32/D - 37-R Gat No. 32/C- 28-R Gat No. 32/C- 51-R, Gat No. 32/D- 18-R, Gat No. 32/D- 11-R, Gat No. 38/B- 33-R, Gat No. 38/B- 32-R, Gat No. 38/E- 11-R	22.02.2007 Rs.700/- to 750/- per Are Rs. 1,73,332/-	29.07.2021 Rs. 2,42,665/- 40% More.
15)	FA 1534/2022 LAR 275/2011	Dadarao Vitthal Langote Through L.Rs. Gat No. 6/6- 73-R Gat NO. 6/6- 07-R	22.02.2007 Rs. 59,625/- Land Rs. 750/-per R Trees Rs.15,119/- Total Rs.74,744/-	12.08.2021 Rs.1,04,642/- 40% More
16)	FA 4099/2022 LAR 29/2009	Nivruti Parbata Langote Gat No. 32/B – 71-R Gat No. 31/E – 29-R	22.02.2007 Land Rs.700/-per R, Rs. 57040/- Rs. 29,750/- Total Rs. 86,790/-	24.04.2019 Rs.1,17,167/- 35% More
17)	FA 1474/2022	Sheshrao Tukaram	22.02.2007 R	16.08.2021

	LAR 195/2011	Gadve Gat No. 15/D- 1-H 35-R	Rs. 94,635/- Land Rs. 750/- Per R, Trees Rs. 9,486/-, Pipeline Rs. 4000/- Total Rs.1,08,121/-	Rs.1,51,280/- 40% More
18)	FA 1473/2022 LAR 278/2011	Eknath Govind Langote Gat No. 32/D – 08-R Gat No. 32/4 – 1-H 10-R Gat No. 32/D – 01-R Gat No. 32/A – 23-R	22.02.2007 Rs. 1,05,315/- Land Rs. 700-750 per R	29.07.2021 Rs.1,47,441/- 40% More
19)	FA 1468/2022 LAR No. 21/2012	Atmaram Manika Langote Gat No. 5/A 1-H - 0R	22.02.2007 Rs. 74,265/- Land Rs.750/- per R, Trees Rs.15,616/-, Total Rs. 89,881/-	16.08.2021 Rs.1,25,833/- 40 % More.
20)	FA 1536/2022 LAR 20/2009	Vilas Venkat Gadave died thr. L.Rs. Gat No. 9P-2- 47-R	22.02.2007 Rs. 35,250/- land Rs. 750/- per R	12.03.2020 Rs. 49,350/- 40% More
19)	FA 1506/2022 LAR 197/2011	Renukabai Ganpat Langote Gat No. 39/3 – 41-R	27.02.2007 Rs. 29,265/- Land Rs. 765/- per R	27.02.2020 Rs.40,971/- 40% More
20)	FA 1471/2022 LAR 21/2009	Venkat Bhimrao Tarange died thr. L.Rs. Gat No. 9P-1- 3-H 12-R	22.02.2007 Rs. 2,34,000/- Land Rs. 750/- per R, trees Rs. 1540/-, total Rs. 2,35,540/-	16.08.2021 Rs. 3,29,756/- 40%

5. The notification under Section 4 of the Land Acquisition Act was issued on 14.07.1999. The award was passed on 22.02.2007. Special Land Acquisition Officer fixed the rate at Rs. 65,000/- to Rs. 75,000/- per Hectare for dry land. Being aggrieved, matters were referred to the Courts. The reference Court enhanced the compensation in the range from 30% to 40%, depending upon the facts situation in each matter. The appellants are claiming rate of Rs. 1,25,000/- per Hectare for dry land as it is held in First Appeal No. 834/2010 and First Appeal No. 3133/2009. In the alternative, they are claiming enhancement up to 70% from the enhancement given by

the Reference Court, relying upon decision dated 02.05.2022 in First Appeal No. 2036/2021 and connected matters.

6. Learned counsel for the applicants submits that the coordinate bench in First Appeal No. 834/2010 fixed the rate at Rs. 1,25,000/- per Hectare, when the lands acquired were from village Marajwadi. In another group of appeals the acquired lands were from Bhaswadi and enhancement was granted to 70%. The learned counsel for Appellants has placed on record short submissions along with chart and the decisions which are sought to be relied upon. It is submitted that the enhancement or the rate cannot be discriminated, just because the lands in the present appeals are from village Bhingoli. These are the cluster of villages and the lands are identical in their location, potentiality and the quality.

7. The counsels appearing for the respondents have vehemently opposed the submissions of the appellants. It is submitted that in the absence of any material on record to support the claim of enhancement, it is impermissible to refer to few judgments and apply the ground of parity. It is submitted that the reference Court has considered relevant material on record, the typography of the lands and arrived at reasonable and just conclusion. The reference Court has already enhanced the rate to 30% to 40%. The rate given by coordinate bench in earlier matters cannot operate as a rule of thumb.

8. I have considered the rival submissions of the parties. The material facts are undisputed. The lands acquired in the present appeals are from village Bhingoli. For the self-same project, when lands from Marajwadi were acquired, the enhancement was granted by fixing rate of Rs. 1,25,000/- per Hectare in First Appeal No. 834/2010 and connected matters. The coordinate bench *inter alia* relying upon the decisions rendered in First Appeal No. 988/2012 and 989/2012, by a speaking order, the rate was enhanced the rate. The same formula of enhancement has been applied by

the coordinate bench in the group of matters in First Appeal No. 3133/2009. Lands in those matters are also from village Marajwadi. However, the coordinate bench marginally deviated from the earlier formula by enhancing the rate in the group of appeals decided on 02.05.2022 in First Appeal No. 2036/2021 and connected matters. The lands in those matters were from Bhaswadi and acquired for the same project. The enhancement of compensation was extended to 70% from that of the reference Court, which is further followed in the common judgment passed on 31.07.2024 in First Appeal No. 1023/2022 and connected matter.

9. I have gone through the judgments referred above, which are produced by the appellants in this Court.

10. In the last couple of groups, this Court adopted the enhancement to 70% from the rate given by the reference Court, which is the latest formula. I propose to adopt the same instead of enhancing the rate to Rs. 1,25,000/- per Hectare. The enhancement to 70% is reasonable and adequate. It is in consonance with the view taken by this Court.

11. The objection of the respondents is mainly on the distance and the location of the lands under acquisition as compared to the lands from Marajwadi and Bhaswadi. The Cluster of village is affected because of Lendi project. I have gone through a village map, which shows that villages Bhingoli, Marajwadi and Bhaswadi are in the same vicinity. The villages Bhaswadi and Marajwadi appear to be adjoining as against Bhingoli. There is a distance between village Marajwadi and Bhingoli and that is the reason I am not inclined to accept enhancement of rate of Rs. 1,25,000/- per Hectare. Ends of justice would be met by granting the enhancement to 70%.

12. I am guided by the principles laid down by the Apex Court in the matter of **Ali Mohammad Beigh and others Vs. State of Jammu and Kashmir; AIR 2017 SC 1518**. Useful reference can be made to paragraph no. 13 and 14 for determining the rates of the lands, which are acquired from different

villages, but acquired for the same purpose. Following the judgment, I have also taken view in the matter of **Uttam Bapurao Sakalkar Vs. The State of Maharashtra and others; 2025 BHC-AUG:31492**. There is no reason to deviate from the view already taken. I find no merit in the submissions of the respondents that the parity cannot be attracted for enhancing the compensation in the present matter. All appeals deserves to be allowed partly. I, therefore, pass following order:

ORDER

- (I) The first appeals are allowed partly.
- (II) The compensation granted by the reference Court shall stand enhanced to further 70%.
- (III) Save and except above modification, rest of the award under challenge shall stand unaltered.
- (IV) Needless to mention that interest shall be payable from the date of Award.
- (V) The appellants shall not be entitled to interest and statutory benefits for the delayed period, which is already condoned.
- (VI) The appellants shall pay deficit court fees.
- (VII) Record and proceedings be sent back to the Trial Court.
- (VIII) Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)

mkd/-