

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

945 FIRST APPEAL NO. 2534 OF 2021

**MANU DHAKU JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. V.V. Ingle, Advocate for the appellant.
Mr. R.B. Dhaware, A.G.P. for respondent Nos.1 and 2.

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 12 FEBRUARY 2025.**

ORDER:-

1. Heard rival submissions.
2. The learned Counsel for the appellant/claimant has filed this appeal challenging the judgment and award dated 18.04.2009 passed by the Joint Civil Judge Senior Division, Omerga, District Osmanabad in LAR No. 543 of 2005. During the course of argument he produced on record judgment dated 05.01.2018 passed by this Court in another connected matter, wherein this Court has granted rate of Rs. 7,500/- per Aar to the lands under acquisition in those matters. It is significant to note that in the instant matter, the land under acquisition is from the same Gut No. 7 of village Jevali, Taluka Omerga, District Osmanabad. Therefore, the learned Counsel for the appellant/claimant is seeking same rate for the present land under acquisition.

3. The learned A.G.P. after going through the aforesaid earlier judgment of this Court, submitted that the aforesaid rate of Rs. 7,500/- per Aar can be granted in the instant matter also.

4. In view of the same, the present appeal stands partly allowed and the claimant is entitled to get compensation for his acquired land at the rate of Rs. 7,500/- per Aar alongwith the legal benefits arising out of the same as awarded in the aforesaid connected matters namely First Appeal No. 2944 of 2013 and First Appeal No. 3413 of 2015. The award be prepared accordingly. The appellant/claimant shall deposit the deficit court-fees, if any, within four weeks. The respondent State Acquiring Body is directed to deposit the amount of enhanced compensation alongwith legal benefits, within six months with this Court. If the amount so deposited, then the appellant/claimant is permitted to withdraw the same without further reference to this Court.

5. The appeal is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)