



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 FIRST APPEAL NO. 3108 OF 2022

DEORAO SHESHRAO ADHAV AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
25 FIRST APPEAL NO. 1346 OF 2023

NARAYAN NIVRUTI GATE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
FIRST APPEAL NO. 3593 OF 2023

GULAB BANSI NIRWAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Mr. A. H. Korhalkar, Advocate for Appellant in all matters
Mr. N. R. Dayma and Mr. S. V. Hange, AGPs for Respondents/State in
respective appeals
Mr. R. R. Imale, Advocate for Acquiring body in FA/3108/2022 and
FA/1346/2023
Dr. Mrs. Kalpalata Patil Bharaswadkar, Advocate for Acquiring Body in
FA/3593/2023

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CORAM : SHAILESH P. BRAHME, J.

DATE : 15.12.2025

PER COURT :-

. First Appeal No.3593 of 2023 is not on board. After mentioning, taken on board.

2. Heard both sides finally with their consent.

3. These appeals can be decided finally by common judgment because the issue involved is no more res integra.

4. Following are the material particulars :

Sr. No.	FA.No.	LAR No.	Gut No. Total Acquired Area	u/s 4 notification date	u/s 11 award date	S.L.A.O Rate per R as per Award	Ld. Reference Court enhanced rate per R
22	3108 of 2022	297 of 2010	202 03H 10 Are	27.04.2000	10.04.2003	800/- per Are	2,500/- Dry Land
25	1346 of 2023	129 of 2010	30 00H 88 Are	27.04.2000	10.04.2003	800/- per Are	2,500/- Dry Land
Sister F A	3593 of 2023	1110 of 2010	205 00H 77 Are	27.04.2000	10.04.2003	800/- per Are	2,500/- Dry Land

5. Learned counsel for the appellants Mr. Korhalkar has placed on record a compilation disclosing the rate fixed by this Court which can be made applicable on parity. Learned counsel submits that appellants are entitled to have the rate of Rs.3660/- per Are.

6. Learned counsel appearing for the acquiring body would contest the submissions. It is submitted that the appellants are unable to make out a case for enhancement. The judgments referred above by the appellants cannot be made applicable.

7. Present appeals are squarely covered by the consistent view taken by the coordinate benches which is followed by me in various matters. It has been held that the claimants whose lands are acquired for 'Nimmna Dudhana' project from different villages from Taluka Partur are entitled to receive the rate of Rs.2500/- per Are for dry land with the escalation at the rate of 10% per annum. The rate of Rs.2500/- per Are awarded for the lands acquired from village Satona vide notification dated 31.03.1996 is stated to be the master value.

8. Considering the location of the lands which are acquired by the respondent-acquiring body and their potential, the ground of parity is attracted. This Court is relying upon the law laid down by the Supreme Court in the matter of Huchanagouda vs. The Assistant Commissioner and Land Acquisition Officer and Ors. reported in (2020) 19 SCC 236 , Ali Mohammad Beigh and Ors vs. State of J & K reported in AIR 2017 SC 1518 and Ningappa Thotappa Angadi (Dead) Through Legal Representatives vs. Special Land Acquisition Officer and Another reported in (2020) 19 Supreme Court Cases 599 for enhancing the compensation with escalation by cumulative effect.

9. Appellants are entitled to have escalation at the rate of 10% per annum for four years. Their lands are from village Rohina, Taluka Partur, District Jalna. Others are dry lands. They are entitled to have rate of Rs.3660/- per Are.

10. I, therefore, pass the following order :

ORDER

- (i) First Appeals are allowed partly.
- (ii) Impugned judgment and award shall stand modified and the appellants shall be awarded compensation at the rate of Rs.3660/- per Are. The rest of the award is hereby maintained.
- (iii) Award be drawn accordingly.
- (iv) The appellants shall pay the deficit court fees.
- (v) R and P be sent back to the Reference Court.
- (vi) The interest shall be payable as per law laid down by Full Bench in the matter of **State of Maharashtra vs. Kailash Shiva Rangari** reported in **2016 AIR (Bom) 141**.

(SHAILESH P. BRAHME, J.)