



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

21 FIRST APPEAL NO. 1730 OF 2022

DAULAT B. SURWASE (DIED) THR LRS SAVITRIBAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

22 FIRST APPEAL NO. 1773 OF 2022

BABASAHEB SITARAM SURWASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

23 FIRST APPEAL NO. 1831 OF 2022

BAPURAO SAHEBRAO SURVASE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

24 FIRST APPEAL NO. 1956 OF 2022

SHIVAJI RAMESHWAR GHAYAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

25 FIRST APPEAL NO. 1957 OF 2022

RAMESHWAR DHONDIBA GHAYAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

26 FIRST APPEAL NO. 2060 OF 2022

DNYANOBA RAMBHAU DANGAT
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

27 FIRST APPEAL NO. 2063 OF 2022

BHUJANGRAO B. DANGAT (D) THR. LRS SAMPATRAO & ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

28 FIRST APPEAL NO. 2064 OF 2022

LAXMIBAI M. SURWASE (DIED) THR LRS UJWALA AND ORS
VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND

29 FIRST APPEAL NO. 2065 OF 2022

DATTATRAY BHUJANGRAO DANGAT
VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND

30 FIRST APPEAL NO. 2066 OF 2022

KACHRU SURYABHAN GHAYAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

31 FIRST APPEAL NO. 2067 OF 2022

SHRIMANT RAMKISAN DANGAT
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

39 FIRST APPEAL NO. 4205 OF 2022

ATMARAM SAHEBRAO DANGAT
VERSUS
THE STATE OF MAH. THR COLLECTOR, PARBHANI AND ORS

AND

48 FAST/32264/2021

GANGARAM P. LAHANE (D) THR LRS SAKHARAM G. LAHANE
VERSUS
THE STATE OF MAH. THR COLLECTOR, PARBHANI AND ORS

AND

49 FAST/32276/2021

RAMESH LAXMAN LAHANE AND ANR
VERSUS
THE STATE OF MAH. THR COLLECTOR, PARBHANI AND ORS

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Advocate for Appellants/claimants in all FA : Mr. D. M. Kakade.
AGPs for Respondent/s-State in respective FA : Mr. S. V. Hange
and Mr. N. R. Dayma, respectively.

Advocate for Acquiring Body in respective FA : Mr. S. C. Arora,
Mr. V. C. Solshe, Mr. B. R. Survase, Mr. A. M. Gaikwad, Mr.
Anand Chawre (V/C) a/w. Ms. Vandana Sadawarte and Ms.
Riya Khandelwal, Mr. C. V. Bodke h/f. Mr. R. M. Gaikwad, Mrs.
S. D. Shelke, R. D. Reddy & Mr. S. G. Chincholkar, respectively.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18.12.2025

PER COURT :-

1. Taken up for final hearing with consent of the parties.
2. These appeals can be decided by common judgment. The issue involved is no more res-integra. Appellants are relying upon various judgments of the Co-ordinate Bench. The latest common judgment passed on 11.12.2025 in First Appeal No.1778 of 2024 and connected appeals. They are challenging judgment and award passed by the Reference Court on different dates in respective appeals. Their claim is to get rate of Rs.2500/- for dry land. They are not claiming escalation.
3. Learned counsel for the respondents would oppose the submissions. According to them, parity is not attracted. Learned counsel Mr. Chawre submit that appellants have failed to prove the similarity of the lands and they are not entitled to any enhancement.

4. The lands in the present appeals have been acquired from village Revalgaon for Nimna Dudhana Project. The village in the present matters is adjacent to Satona. The rate of Rs.2500/- per R. granted to the lands acquired from village Satona is treated to be benchmark by this Court in various judgments. As its a cluster of villages which were acquired for self-same project, the legal position is well settled. Appellants are also entitled to receive the rate which is consistently awarded by this Court. The respondent/acquiring body did not plead any evidence before the Reference Court. A consistent view is governing the field in awarding rate of Rs.2000/- per R. for dry land. The submission of the respondents that parity cannot be accepted, has to be rejected.

5. Following are the material particulars of the lands.

Sr. No.	Board Sr.no.	FIRST APPEAL DETAILS	LAR NO.	Gut No.	TOTAL AREA	SEC.4 NOTIFICATION	SEC.11 AWARD DATE	SLAO RATE PER R	Rate Awarded by Ref. Court	Classification of land made by reference court in Acquired Area In ARE			
										Dry Land.	Seasonal Irrigation	Irrigated Land	Pot kharab
1	21	Daulatrao Bhaurao Surwase V/s The State of Maharashtra & Ors FA/1730/2022	334/2012	8/1	96 R	12-07-1996.	27-12-2001.	RS.546	2000	96	0	0	0
2	22	Babasaheb Sitaram Surwase V/s The State of Maharashtra & Ors FA/1773/2022	334/2010	2/2/2	20 R	'12-07-1996.	27-12-2001.	RS.573	2000	20	0	0	0
3	23	Bapurao Sahebrao Surwase V/s The State of Maharashtra & Ors FA/1831/2022	472/2010	8/1, 8/4	2 H 08 R	'12-07-1996.	27-12-2001.	RS.554	2000	208	0	0	0

4	24	Shivaji Rameshwar Ghayal V/s The State of Maharashtra & Ors FA/1956/2022	655/201 0	33/4/ 2	41 R	'12-07-1996.	27-12- 2001.	RS.938	3000	0	41	0	0
5	25	Rameshwar Dhondiba Ghayal V/s The State of Maharashtra & Ors FA/1957/2022	656/201 0	31/1/ 3	81 R	'12-07-1996.	27-12- 2001.	RS.529	2000 1000	75	0	0	6
6	26	Dnyanoba Rambhau Dangat V/s The State of Maharashtra & Ors FA/2060/2022	1207/20 10	29/1/ 1	2 H 87 R	'12-07-1996.	27-12- 2001.	RS.468 RS.702 RS.234	2000 3000 1000	232	50	0	5
7	27	Bhujangrao Baliram Dangat V/s The State of Maharashtra & Ors FA/2063/2022	536/201 0	34/3, 25/1/ 4, 34/4	77 R	'12-07-1996.	27-12- 2001.	'RS.521 RS.782 RS.1010	2000 3000	24	53	0	0
8	28	Laxmibai Manchakrao Surwase V/s The State of Maharashtra & Ors FA/2064/2022	1225/20 10	2/2/2, 8/1/2	1 H 11 R	'12-07-1996.	27-12- 2001.	"RS.573 RS.546	2000 1000	109	0	0	2
9	29	Dattatray Bhujangrao Dangat V/s The State of Maharashtra & Ors	538/201 0	25/1/ 1	73 R	'12-07-1996.	27-12- 2001.	'RS.521 RS.782 RS.261	2000 3000 1000	48	23	0	2

FA/2065/2022

10	30	Kachru Sauryabhan Ghayal V/s The State of Maharashtra & Ors FA/2066/2022	534/201 0	27/4	2 H 18 R	'12-07-1996.	27-12- 2001.	RS.548	2000	218	0	0	0
11	31	Shrimant Ramkisan Dangat V/s The State of Maharashtra & Ors FA/2067/2022	540/201 0	28/2	3 H 79 R	'12-07-1996.	27-12- 2001.	RS.558	2000	379	0	0	0
12	39	Atmaram Sahebrao Dangat V/s The State of Maharashtra & Ors FA/4205/2022	369/201 1	25/2/ 3	15 R	'12-07-1996.	27-12- 2001.	RS.557	2000	15	0	0	0
13	48	Gangaram Punjaji Lahane V/s The State of Maharashtra & Ors FA/32264/2021 (stp)	393/201 1	2/3, 2/10/ 2	150 R	'12-07-1996.	27-12- 2001.	RS.558	2000	150	0	0	0
14	49	Ramesh Laxman Lahane & Anr V/s The State of Maharashtra & Ors FA/32276/2021 (stp)	753/201 1	2/6/2	84 R	'12-07-1996.	27-12- 2001.	RS.559	2000	84	0	0	0

6. Appellants are entitled to receive rate of Rs.2500/- per R. for dry land, Rs.3,750/- for seasonal irrigated land, Rs.5,000/- for irrigated land and Rs.1,250/- for Potkharab land. I, therefore, pass following order :

ORDER

- (i) First appeals are allowed partly.
- (ii) The appellants are entitled to receive rate of Rs.2500/- per R. for dry land, Rs.3,750/- for seasonal irrigated land, Rs.5,000/- for irrigated land and Rs.1,250/- for Potkharab land for their respective lands.
- (iii) The appellants shall be entitled to receive interest under Section 28 and 34 of the Act as per law laid down in the judgment of Full Bench in case of *State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]*.
- (iv) Appellant shall not be entitled for interest and statutory benefits for the delayed period.
- (v) Deficit court fees shall be paid by the appellants, if any.
- (vi) Award be drawn accordingly.
- (vii) Record and proceeding be sent back to the concerned Court.

(SHAILESH P. BRAHME, J.)

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