



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

FIRST APPEAL NO. 1434 OF 2025

Layabai Eknath Chinchole
Since deceased through her L.Rs.
Bhika E. Chinchole Died through
Mandabai Bhika Chinchole and others .. Appellants

Versus

The Collector through the Special
Land Acquisition Officer – 1 UTPH,
Jalgaon and others .. Respondents

Shri Kumargaurav M. More, Advocate a/w Shri Shubham R.
Zalte and Firoz A. Shirpurkar, Advocates for the Appellants.
Mrs. M. N. Ghanekar, A.G.P. for the Respondent No. 1.

CORAM : SHAILESH P. BRAHME, J.
DATE : 05TH DECEMBER, 2025.

FINAL ORDER :

. Being aggrieved by judgment and award dated 23.02.2017 passed in L. A. R. No. 729 of 2009, appellant has preferred present first appeal. He has claimed compensation by adopting the rate of Rs. 3,00,000/- per hectare for dry land as it has been consistently upheld by the High Court in the matters arising out of same project. Reliance is placed on one of such order dated 05th January, 2018 passed in First Appeal No. 3111 of 2015 and other connected matters.

2. Learned Assistant Government Pleader opposes the

submissions. She would submit that appellant has failed to make out a case for enhancement of compensation. The rate awarded by the Reference Court is just and proper.

3. Appellant's land from village Hadgaon was acquired for Waghur project. For the self same project lands of various other persons were acquired from village Khadgaon as well as villages in the vicinity. The learned Single Judge has taken a view vide **judgment and order dated 05.01.2018 in First Appeal No. 3111 of 2015 with other connected matters in the matter of Executive Engineer Waghoor Project Division Jalgaon Vs. Narayan Sonu Barkale and another** in granting rate of Rs. 3,00,000/- per hectare for dry land. The said judgment has been consistently followed and I also propose to adopt the same course. The appellant's land is dry land and the rate given by the Reference Court that is Rs. 1,80,000/- per hectare is required to be enhanced to Rs. 3,00,000/-. I, therefore, pass following order.

O R D E R

- A. First appeal is allowed partly.
- B. The appellant shall be entitled to enhancement of rate from Rs. 1,80,000/- per hectare to Rs. 3,00,000/- per hectare and accordingly the compensation shall be computed.
- C. Save and except above, rest of the award passed by the Reference Court shall stand confirmed.

D. The appellant shall not be entitled to interest and statutory benefit for the delayed period.

E. The appellant shall pay the deficit court fees.

D. Award be drawn up accordingly.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25