



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

24 FIRST APPEAL NO. 708 OF 2007

GAYABAI PRAKASH CHAUDHARY

VERSUS

THE SPECIAL LAND ACQUISITION OFFICER AND ANR

Mr. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for the appellant.
Ms. M.N. Ghanekar, AGP for the respondent-State.
Mr. D.D. Pokharkar, Advocate for respondent No.2.

CORAM : KISHORE C. SANT, J.
DATE : 14.07.2025

PC :-

01. Heard learned Advocates for both the sides. Learned Advocate for the appellant submits that this matter is only left out matter from the group of appeals already by this Court by judgment and order dated 28.02.2024 in First Appeal No. 715 of 2007 with connected appeals. This Court by way of the judgment and order, modified the award of the Reference Court to the extent of Bagayat land. Compensation of Rs.4 lakhs per hectare is given to the Bagayat land. So far as trees are concerned, the claimants were held entitled to receive compensation to the extent of 80% of the amount of the valuation report. The statutory benefits and interest were also granted.

02. Considering the above, there is no dispute about the said fact

even by the learned Advocate for the respondent. The learned Advocates for the appellant and Acquiring Body have placed on record a chart showing the area under acquisition and the compensation for Bagayat or irrigated land. The respondents do not dispute that the present land is an irrigated land. Considering that this Court has already granted rate of Rs. 4 lakhs per hectare to the irrigated land, this Court is inclined to allow the present appeal partly. Hence, following order :-

ORDER

- (i) Appeal is partly allowed.
- (ii) It is held that the appellants are entitled to receive compensation at the rate of Rs.4 lakhs per acres for Bagayat land, acquired by the respondent – Acquiring Body.
- (iii) The award be modified accordingly.
- (iv) Pending Civil Application, if any, stands disposed off.

[KISHORE C. SANT, J.]