



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

FIRST APPEAL NO. 1778 OF 2021

Anil Vijinath Dhole .. Appellant
Versus
The State of Maharashtra and others .. Respondents

**WITH
FIRST APPEAL NO. 1779 OF 2021**

Manohar Channapa Birajdar
and another .. Appellants
Versus
The State of Maharashtra and others .. Respondents

Shri Suraj V. Gundre, Advocate for the Appellant in both matters.

Mrs. M. N. Ghanekar, A.G.P. for the Respondent Nos. 1 to 3 in both matters.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 11TH DECEMBER, 2025.**

FINAL ORDER :

. Heard both sides finally.

2. This Court decided group of first appeals on 19th November, 2025 bearing First Appeal No. 1776 of 2021 with other connected matters enhancing the compensation by fixing the rate of Rs. 868/- per square feet. However, present appeals were left out.

3. Learned Assistant Government Pleader fairly concedes the above position.

4. The judgments and award dated 16.09.2017 passed in L. A. R. No. 309 of 2016 and L. A. R. No. 308 of 2016 are under consideration. First Appeal No. 1776 of 2021 and other connected matters which were partly allowed on 19th November, 2025 by common judgment, are also from the same acquisition proceedings. The lands in the present case and other matters are acquired for new ring road part II of State Highway No. 3 from Latur to Kava. The present appeals are squarely covered by the judgment referred above. Appellants are also entitled to receive rate of Rs. 868/- per square feet for the lands acquired from Sy. No. 9 belonging to appellants. Impugned judgment and award needs modification to that extent.

5. I, therefore, pass following order.

O R D E R

I First appeals are allowed partly.

II The impugned judgment and award dated 16.09.2017 passed by Civil Judge Senior Division, Latur stands modified to the extent of clauses (2) and (5) of the operative part of the judgment only. Those clauses shall be substituted by following clauses :

2. The respondents shall pay to the claimants in all

four the references the compensation at the rate of Rs. 868/- (Rs. Eight hundred Sixty Eight only) per square foot towards enhanced compensation against the land acquired after deducting the amounts already paid.

5. The respondents shall pay the interest on the enhanced compensation amount @ 9% per annum from the date of award and @ 15% from the date of expiry of said period of one year on the amount of such excess which has not been paid in the Court before the date of such expiry, as per Sec. 28 of the Act.

III Save and except the above modification remaining award shall stand confirmed.

IV Award be drawn up accordingly.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25