



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 FIRST APPEAL NO. 452 OF 2023

RANGANATH DIGAJI LIPNE (DIED) THR LRS VISHNU S/O RANGNATH LIPNE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
21 FIRST APPEAL NO. 1372 OF 2025

MUKUND TATYASAHEB AMBHURE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

AND
22 FIRST APPEAL NO. 1378 OF 2025

TATYASAHEB AMBADASRAO AMBHURE DIED THR. LRS. MILIND T.
AMBHURE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

AND
23 FIRST APPEAL NO. 1380 OF 2025

MILIND TATYASAHEB AMBHURE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

AND
24 FIRST APPEAL NO. 1851 OF 2025

SHAIKH JABBAR SK. LAL
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND

ORS.

AND

25 FIRST APPEAL NO. 2569 OF 2025

SK NASRULLAH SK ABDULLAH

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

AND

26 FIRST APPEAL NO. 3200 OF 2025

BHIMRAO SAKHARAM DAWANDE AND ANR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

WITH

FIRST APPEAL NO. 3201 OF 2025

SAKHARAM CHANDRABHAN DAWANDE AND ANR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

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Mr. V. D. Bhise, Advocate for Appellant in all matters

Mr. N. R. Dayma and Mrs. M. N. Ghanekar, AGP for Respondents/State in
respective matters

Mr. R. A. Tambe, Advocate for Acquiring Body in all matters

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CORAM : SHAILESH P. BRAHME, J.

DATE : 09.12.2025

PER COURT :-

. Heard both sides finally at the admission state.

2. The issue involved in these appeals are no more res integra and

the appeals are squarely covered by common judgment and order dated 29.04.2025 passed by the coordinate bench. Learned counsel for the appellants tenders on record copy of the order dated 29.04.2025 passed in First Appeal No.197 of 202 and connected appeals. Learned counsel for the appellants submits that on the ground of parity their appeals are required to be decided.

3. The acquisition pertains to the construction of Minor Irrigation Tank in 'Kasura Bruhat Laghu Patbandhare Prakalpa' of Taluka Partur, Dist. Jalna. It is submitted that the lands of various owners were acquired under the claim for the selfsame purpose. The matters reached this Court and the rate of Rs.1728 for dry land was fixed by reasoned order.

4. Per contra, learned counsel Mr. Rahul Tambe submits that the appellants have not made out any case for enhancement of the compensation. It is submitted that appeals cannot be allowed by relying upon the judgment referred above. The Reference Court has taken reasonable and plausible view. It is submitted that interest was awarded by flouting the law laid down by Full Bench in the case of **State of Maharashtra vs. Kailash Shiva Rangari** reported in **2016(3) Mh.L.J.,.**

5. From the following chart, relevant facts which are necessary to hold that ground of parity can be made applicable to the appellants.

SR. No.	F.A. No. (L.A.R. No.)	Gut No. (AREA)	U/sec 4 Notification Date	U/sec 11 Award Date	S.L.A.O. Rate Per R at time of passing of Award	LR. Reference Court awarded rate per R	Type of land Reference Court awarded	Hon'ble High Court awarded Rate in same village and same award
20.	452 OF 2023 (536/1998) Rangnath (Died) Vishnu Lipne Vs. The State	16 02 H 13 R (0 H 12 R -P.K.)	21.09.1995	31.07.1998	Rs.390/- Rs. 15/- P.K.	Rs. 488/-	Dry land	Rs.1,728/- for dry land Rs.2,592/- for Semi Irrig. Rs.3,456/- for Bagayat [Rs.864/-For Pot Kharaba]
21.	1372 OF 2025 (541/1998) Mukund T Ambhure Vs. The State of Maha & Or	457 01 H 95 R (0 H 19 R -P.K.)	21.09.1995	31.07.1998	Rs.390/- Rs. 15/- P.K.	Rs. 488/-	Dry land	As above
22.	1378 OF 2025 (535/1998) Tatyasaheb (Died) Milind & Ors Vs. The State of Maha	499 01 H 70 R	21.09.1995	31.07.1998	Rs.390/-	Rs.525/-	Dry land	As above
23.	1380 OF 2025 (541/1998) Milind T Ambhure Vs. The State of Maha & Or	443 01 H 80 R	21.09.1995	31.07.1998	Rs.390/-	Rs. 488/-	Dry land	As above
24.	1851 OF 2025 (150/1999) Sk. Jabbar Sk Lal Vs State & Ors	492/2/2 00 H 77 R	09.01.1997	13.01.1999	Rs.440/-	Rs.660/-	Dry land	Rs.1,728/- for dry land Rs.2,592/- for Semi Irrig. Rs.3,456/- for Bagayat [Rs.864/-For Pot Kharaba]
25.	2569 OF 2025 (513/1998) Sk Nasrullah Sk Abul Vs. The State & Ors	434 02 H 00 R	21.09.1995	31.07.1998	Rs.440/-	Rs. 550/-	Dry land	As above

26. A	3200 OF 2025 (818/2011) Bhimrao S Dawande & Ors Vs State & Ors	462 03 H 02 R (0.10 P.K.)	09.01.1997	13.01.1999	Rs.440/-	Rs.660/-	Dry land	As Above
26. B	3201 OF 2025 (817/2011) Sakharam C Dawande & Ors Vs State & Ors	463 02 H 39 R	09.01.1997	13.01.1999	Rs.440/-	Rs.660/-	Dry land	As Above

6. By reasoned order, the coordinate bench fixed the rate of Rs.1728/- per Are. The reliance was placed on various judgments. The selfsame sale exemplar can be made applicable. I do not find any difficulty in awarding the same rate. The lands of the appellants are dry lands. They are entitled to enhancement.

7. It is rightly pointed out by Mr. Tambe, learned counsel for the respondents that the interest in all the appeals has been awarded from the date of notification which is impermissible in view of the judgment of Full Bench in the case of **State of Maharashtra vs. Kailash Shiva Rangari** (supra).

8. Applicants are entitled to have interest from the date of notification which is mentioned in above referred paragraph. I, therefore, pass the following order :

ORDER

(i) All First Appeals are allowed partly with proportionate costs.

(ii) The appellant/s shall be entitled for the enhanced compensation of their land i.e. for dry land @ 1,728/- per Are.

(iii) The appellant/s shall be entitled to interest from the date of Award i.e. 31.07.1998 and 13.01.1999.

(iv) The appellant/s shall not be entitled to interest and statutory benefits for delayed period.

(v) All First Appeals are accordingly disposed of.

(vi) In view of disposal of First Appeals, all pending Civil Applications stand disposed of.

(SHAILESH P. BRAHME, J.)