



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 FIRST APPEAL NO. 277 OF 2013

1. The State of Maharashtra
Through the Collector
Osmanabad
 2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
 3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad
- ...Appellants
(Ori. Respondents)

Versus

Santosh Vishnu Dhumal
Age adult, Occ. Agriculture
R/o. Kavtha, Tq. Omerga
District Osmanabad

...Respondent
(Ori. Claimant)

WITH
CROSS OBJECTION NO. 70 OF 2021
IN
FIRST APPEAL NO. 277 OF 2013

Santosh Vishnu Dhumal
Age adult, Occ. Agriculture
R/o. Kavtha, Tq. Omerga
District Osmanabad

...Applicant

Versus

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad

3. The Executive Engineer
Rehabilitation Integrated Unit ...Respondents
Osmanabad

AND
FIRST APPEAL NO. 278 OF 2013

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit ...Appellants
Osmanabad (Ori. Respondents)

Versus

Venkat Satvaji Sonwane
since deceased through L.Rs.
Vachalabai Venkat Sonwane
since deceased through L.Rs.
Balaji Venkat Sonwane
Age 40 years, Occ. Agri. And Service
R/o. Kavatha, Tq. Omerga ...Respondent
District Osmanabad (Ori. Claimant)

WITH
CROSS OBJECTION NO. 124 OF 2022
IN
FIRST APPEAL NO. 278 OF 2013

Venkat Satvaji Sonwane
since deceased through L.Rs.
Vachalabai Venkat Sonwane
since deceased through L.Rs.
Balaji Venkat Sonwane
Age 40 years, Occ. Agri. And Service
R/o. Kavatha, Tq. Omerga ...Applicant
District Osmanabad

Versus

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad ...Respondents

AND

FIRST APPEAL NO. 281 OF 2013

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad ...Appellants
(Ori. Respondents)

Versus

Dagadu Ananda Gaikwad
Age adult, Occ. Agriculture
R/o. Kavatha, Tq. Omerga
District Osmanabad ...Respondent
(Ori. Claimant)

WITH

CROSS OBJECTION NO. 69 OF 2021

IN

FIRST APPEAL NO. 281 OF 2013

Dagadu Ananda Gaikwad
Age adult, Occ. Agriculture

R/o. Kavatha, Tq. Omerga
District Osmanabad

...Applicant

Versus

1. The State of Maharashtra
Through the Collector
Osmanabad
 2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
 3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad
- ...Respondents

AND
FIRST APPEAL NO. 280 OF 2013

1. The State of Maharashtra
Through the Collector
Osmanabad
 2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
 3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad
- ...Appellants
(Ori. Respondents)

Versus

Babu Tukaram Rankhamb
Age adult, Occ. Agriculture
R/o. Kavtha, Tq. Omerga
District Osmanabad

...Respondent
(Ori. Claimant)

WITH
CROSS OBJECTION NO. 68 OF 2021
IN
FIRST APPEAL NO. 280 OF 2013

Babu Tukaram Rankhamb
 Age major, Occ. Agriculture
 R/o. Kavatha, Tq. Omerga
 District Osmanabad

...Applicant

Versus

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad

...Respondents

AND

FIRST APPEAL NO. 279 OF 2013

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad

...Appellants
 (Ori. Respondents)

Versus

Vikas Shivaji Pawar
 Age adult, Occ. Agriculture
 R/o. Kavtha, Tq. Omerga
 District Osmanabad

...Respondent
 (Ori. Claimant)

WITH

CROSS OBJECTION NO. 67 OF 2021

IN

FIRST APPEAL NO. 279 OF 2013

Vikas Shivaji Pawar
 Age major, Occ. Agriculture
 R/o. Kavatha, Tq. Omerga
 District Osmanabad

...Applicant

Versus

1. The State of Maharashtra
Through the Collector
Osmanabad
2. The Special Land Acquisition
Officer, Manjara Project
Osmanabad
3. The Executive Engineer
Rehabilitation Integrated Unit
Osmanabad

...Respondents

...

Advocate for Appellants in first appeals and respondents in cross
 objections : Mr. S.B. Jadhav
 Advocate for Respondents in first appeals and for applicants in cross
 objections : Mr. V.V. Ingale

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 24th NOVEMBER 2025

ORAL JUDGMENT:-

1. The first appeals are filed by the State and its authorities against the common judgment and award passed by the learned Reference Court, Omerga, district Osmanabad, in Land Reference Nos. 95 of 2005, 174 of 2005, 169 of 2005, 91 of 2005 and 87 of 2005 dated 31.07.2008, whereas the cross objections are filed by the original claimants raising the grievance that inadequate

compensation is granted at the rate of Rs.4/- per sq. ft. when they claimed compensation at the rate of Rs.50/- per sq. ft.

2. Learned A.G.P. for the appellants in the first appeals submitted that considering the quality and the market price of the acquired lands, the compensation granted by the reference court is exorbitant. He therefore, prayed to allow the appeals and set aside the impugned judgment and award.

3. Learned advocate for the claimants submitted that the reference court has not considered the quality of the land and without considering the same has awarded meager amount of compensation. Learned advocate for the claimants submitted that the reference court has not considered the N.A. potentiality and more particularly, that land is adjacent to Latur - Gulbarga highway, having commercial value. He further pointed out that the judgment of this Court delivered in first appeal No. 766 of 2013 in which this Court awarded the compensation at the rate of Rs.20/- per sq. ft. and enhanced the amount of compensation alongwith other benefits. He therefore, prayed for enhancement of the compensation on the principle of parity in view of judgment and award passed by this Court in first appeal No. 766 of 2013, decided on 24.09.2025 (***Manohar Kedari Sawant vs. the State of Maharashtra and others***) on the principle

of parity. Therefore, interference is warranted in the impugned judgment and award. It is lastly prayed to allow the cross objections by modifying the impugned judgment and award of the reference court.

4. Perused the record and proceedings. Considering the reasons stated in the impugned judgment and award by the reference court and in the case of **Manohar (supra)** it would be proper to grant compensation at the rate of Rs.20/- sq. ft. to the claimants on the principle of parity as the claimants' lands are similarly situated near to the highway having commercial potentiality. The appeals therefore, deserve to be dismissed and the cross objections deserve to be allowed by partly setting aside the impugned judgment and awards. Hence the following order:-

O R D E R

- I. The first appeals are dismissed.
- II. The cross objections are allowed. The impugned judgments and awards are partly modified as under:
- III. The applicants-claimants are entitled to receive

compensation @ Rs.20/- per sq. ft. without any deduction as held in the order passed by this Court in First Appeal No. 766 of 2013.

- IV. The claimants are also entitled to receive the statutory benefits as provided in the Land Acquisition Act.
- V. If the delay is condoned by this court while entertaining the cross objections, the claimants are not entitled for interest amount and other statutory benefits for the said period.
- VI. The respondents shall deposit the enhanced amount of compensation within eight weeks from today with interest accrued thereon.
- VII. Pending civil applications, if any, also stand disposed of.

(SANJAY A. DESHMUKH, J.)

rlj/