



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

FIRST APPEAL NO. 1841 OF 2024

Thagabai Rangnath Chaudhari And OthersAppellants

VERSUS

The Collector Jalgaon And OthersRespondents

.....
Ms. Sakshi Kale h/f Mr. A.B. Kale, Advocate for Appellants
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 3

.....
AND

FIRST APPEAL NO. 4805 OF 2017

Subhash Narayan Mahajan Died Through Lrs
Sushilabai S. Mahajan And OthersAppellants

VERSUS

The Special Land Acquisition Officer Hatnur
And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellants
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 363 OF 2011

Indubai Baburao Mahajan Died Through Lrs
Karuna Deepak DesmukhAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 360 OF 2011

Dwarkabai Tukaram Patil Died through Lrs
Dnyaneshwar T. Patil & OthersAppellants

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State

AND**FIRST APPEAL STAMP NO. 6934 OF 2024**

Ramlal Dagadu Patil ...Appellant

VERSUS

The Special Land Acquisition Officer, Upper
Tapi Project, Hatnur-1, Jalgaon & Another ...Respondents

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. S.R. Patil, Advocate for respondent No. 2

AND**FIRST APPEAL STAMP NO. 9844 OF 2024**

Devram Dagadu Patil Died Thr Lrs Kasabai
Devram Patil And Others ...Appellants

VERSUS

The Special Land Acquisition Officer, Upper
Tapi Project, Hatnur-1, Jalgaon & Another ...Respondents

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for appellants
Mr. S.J. Salgare, AGP for State

AND**FIRST APPEAL STAMP NO. 6069 OF 2023**

Nana Sakaram PatilAppellant

VERSUS

The Special Land Acquisition Officer-2 Upper
Tapi Project Hatnoor Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for appellants
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 3

AND**FIRST APPEAL STAMP NO. 14919 OF 2021**

Amrut Raghunath ChaudhariAppellant

VERSUS

The SLAO UTPH Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for appellants
Mr. S.J. Salgare, AGP for State
Mr. R.A. Tambe, Advocate for respondent No. 2

AND**FIRST APPEAL STAMP NO. 3509 OF 2014**

Laxmibai Shivdas Patil ...Appellant

VERSUS

The Special Land Acquisition Officer Hatnur
& Another ...Respondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 2

AND**FIRST APPEAL NO. 362 OF 2011**

Dnyaneshwar Tukaram PatilAppellant

VERSUS

The State Of Maharashtra And Another ...Respondent

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for the appellant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 361 OF 2011

Ashok Govinda MahajanAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 364 OF 2011

Totaram Krushna MahajanAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 910 OF 2011

Arun Rajaram MahajanAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 912 OF 2011

Deepak Ashok PatilAppellant

VERSUS

The State Of Maharashtra And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State

AND**FIRST APPEAL NO. 913 OF 2011**

Sitaram Dagdu Mahajan And OthersAppellants

VERSUS

The State Of Maharashtra And OthersRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State

AND**FIRST APPEAL NO. 3602 OF 2019**

Shriram Ganpat Patil (died) Thr Bebabai
(died) Thr Lrs Rajendra And OthersAppellants

VERSUS

The Special Land Acquisition Officer,
U.T.P.H, Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Appellant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND**FIRST APPEAL STAMP NO. 22296 OF 2018**

Shankar Onkar Mahajan (died) Thr
Lrs Ramdas Shankar MahajanApplicant

VERSUS

The Special Land Acquisition Officer, U.T.P.H-1,
Jalgaon And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 2412 OF 2017

Narayan Hari Bavaskar (died) Thr Lrs
Shantabai (died) Thr Lrs Anandibai Vithal Patil
And OthersAppellants

VERSUS

The Special Land Acquisition Officer,
U.T.P.H.-2, Jalgaon And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 1849 OF 2023

Bhagwan Narayan DhekaleAppellant

VERSUS

Special Land Acquisition Officer
UTPH-2, Jalgaon And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. R.A. Tambe, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 1840 OF 2024

Dhanabai Sitaram Bavaskar (died) Thr
Lrs Santosh Sitaram Bavaskar And OthersAppellants

VERSUS

The Collector, Jalgaon And Another ...Respondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. R.A. Tambe, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 2018 OF 2024

Ananda Dhanu Dube (died) Thr Lrs Raju
Ananda Dube And OthersAppellants

VERSUS

The State Of Maharashtra And AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. R.A. Tambe, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 1838 OF 2024

Mangalabai Chaggan PatilAppellant

VERSUS

The Special Acquisition Officer Upper Tapi
Irrigation Project Hatnoor 2 Jalgaon And
AnotherRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Ms. Snehal Kulkarni, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 1859 OF 2024

Shamrao Zendu DhangarAppellant

VERSUS

Special Land Acquisition Officer,
Upper Tapi Project Hatnur-1 Jalgaon And
OthersRespondents

.....
Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State
Mr. R.A. Tambe, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 3448 OF 2022

Laxman Ravji ChincholeAppellant

VERSUS

State Of Maharashtra And OthersRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. A.D. Pawar, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 1568 OF 2011

Shriram Narayan PatilAppellant

VERSUS

The State Of Maharashtra And OthersRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State

AND

FIRST APPEAL NO. 2730 OF 2019

Anjanabai Devchand PatilAppellant

VERSUS

The Special Land Acquisition Officer 2
Upper Tapi Project Hatnur And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 2793 OF 2019

Atmaram Shravan ChaudhariAppellant

VERSUS

The Special Land Acquisition Officer Upper
Tapi Project Hatnur-1, Jalgaon, & AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 2

AND**FIRST APPEAL NO. 2728 OF 2019**

Vimalbai Atmaram PatilAppellant

VERSUS

The Special Land Acquisition Officer 2
Upper Tapi Project Hatnur And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND**FIRST APPEAL NO. 467 OF 2016**

Tarachand Lakhichand BehraAppellant

VERSUS

The Special Land Acquisition Officer
Upper Tapi Project Hatnur-1 And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND**FIRST APPEAL NO. 468 OF 2016**

Ganesh Lakhichand BehraAppellant

VERSUS

The Special Land Acquisition Officer Upper

Tapi Project Hatnur-1 And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State

Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 466 OF 2016

Pushpa Ganesh BehraAppellant

VERSUS

The Special Land Acquisition Officer Upper

Tapi Project Hatnur-1 And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State

Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 3605 OF 2019

Ushabai Pundlik PatilAppellant

VERSUS

The Special Land Acquisition Officer,

U.T.P.H, Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State

Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 3601 OF 2019

Ramesh Namdeo PatilAppellant

VERSUS

The Special Land Acquisition Officer, U.T.P.H.

Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 4803 OF 2017

Kashinath Deochand Mahajan Died
Through Lrs Anil Kashinath MahajanAppellant

VERSUS

The Collector Jalgaon & OthersRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Mr. D.D. Pokharkar, Advocate for respondent No. 3

AND

FIRST APPEAL NO. 4920 OF 2017

Sanjay Kashiram PatilAppellant

VERSUS

The Special Land Acquisition Officer-2, UTPH,
Jalgaon And AnotherRespondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State
Ms. Manjusha Jagtap, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 2353 OF 2017

Sayabai Divakar PatilAppellant

VERSUS

The Special Land Acquisition Officer, Upper
Tapi Project Hatnur No.2 Jalgaon And Another.....Respondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant
Mr. S.J. Salgare, AGP for State

Mr. V.V. Tarde, Advocate for respondent No. 2

AND

FIRST APPEAL NO. 2017 OF 2024

Shantaram Tulsiram Patil (Wagh) (died)

Through Lrs Vatsalabi & Others

.....Appellants

VERSUS

The State of Maharashtra & Others

.....Respondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State

Mr. A.D. Pawar, Advocate for respondent No. 2

Mr. V.V. Tarde, Advocate for respondent No. 3

AND

FIRST APPEAL NO. 2306 OF 2017

Bhaskar Ramkrushna Patil

.....Appellant

VERSUS

The Special Land Acquisition Officer,

U.T.P.H.-2, Jalgaon And Another

.....Respondents

.....

Ms. Sakshi Kale h/f. Mr. A.B. Kale, Advocate for Applicant

Mr. S.J. Salgare, AGP for State

Mr. D. D. Pokharkar, Advocate for respondent No. 2

.....

CORAM : NITIN B. SURYAWANSHI AND

MANJUSHA DESHPANDE, JJ.

DATE : 03rd APRIL, 2025

ORDER :

1. Admittedly, these first appeals are covered by the order dated 02.11.2023 passed by learned Single Judge of this

Court (Coram: Arun R. Pednekar, J.) in First Appeal No. 1115 of 2021 and connected matters, which arose from the same acquisition proceedings.

2. Learned Single Judge has awarded compensation of Rs. 4,00,000/- per Hectare to the Bagayat land and as far as trees are concerned claimants are held entitle to receive compensation to the extent of 80% of the amount of valuation.

3. Learned advocate for the Corporation states that rate of Rs. 2,00,000/- per Hectare is fixed by the Corporation for Jirayat lands. The same can be paid to the claimants whose lands are Jirayat lands.

4. Learned advocate for appellants has placed on record a chart showing entitlement of appellants as per above calculation, same is marked 'X' for identification.

5. Since the appellants in the present first appeals are similarly situated like that of appellants in First Appeal No. 1115 of 2021 and connected matters, on the ground of parity, said decision is applicable to the case of appellants.

6. In the result, following order:

ORDER

- i) The award of the Reference Court is modified to the extent that appellants/claimants are granted compensation of Rs. 4,00,000/- per Hectare to the Bagayat land and Rs. 2,00,000/- per Hectare to the Jirayat land.

As far as trees are concerned, the claimants are entitled to receive compensation to the extent of 80% of the amount of the valuation report.

- ii) Remaining compensation and interest would be worked out accordingly by the Executing Court. Other statutory benefits would also be worked out by the Executing Court.
- iii) It is made clear that claimants will not be entitled for the interest of delayed period.
- iv) Award be modified accordingly. First Appeals are disposed of. All pending Civil Applications, if any, stand disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN B. SURYAWANSHI, J.)