



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
FIRST APPEAL NO.1872 OF 2014**

1. The State of Maharashtra
Through the Collector, Latur
2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur

**....Appellants
(Ori. Respondents)**

VERSUS

Angad S/o Ganpati Narhare,
Age: 54 years, Occu. Labourer,
R/o. Yamuna Colony, Old AUSA Road,
Latur, Tq. & Dist. Latur

**....(Respondent)
(Ori. Claimant)**

WITH

**X-OBJECTION (ST) NO.32038 OF 2018
IN FA/1872/2014**

Angad S/o Ganpati Narhare,
Age: 54 years, Occu. Labourer,
R/o. Yamuna Colony, Old AUSA Road,
Latur, Tq. & Dist. Latur

**....Appellant
(Ori. Claimant)**

VERSUS

1. The State of Maharashtra
Through the Collector, Latur
2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur

....Respondents

....

**AND
FIRST APPEAL NO.1873 OF 2014**

1. The State of Maharashtra
Through the Collector, Latur
2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur

**....Appellants
(Ori. Respondents)**

VERSUS

Nagnath S/o Manmathappa Khanapure (Died)
Through Lrs.

1. Sonabai W/o Nagnath Khanapure
Age: 65 years, Occu. Household,
2. Prakash S/o Nagnath Khanapure
Age: 32 years, Occu: Agri

Both R/o. Gavli Galli, Azad Chowk,
Taluka and District Latur

**....(Respondents)
(Ori. Claimants)**

**WITH
X-OBJECTION NO. 143 OF 2025
IN FA/1873/2014**

Nagnath S/o Manmathappa Khanapure (Died)
Through Lrs.

1. Sonabai W/o Nagnath Khanapure
Age: 65 years, Occu. Household,
2. Prakash S/o Nagnath Khanapure
Age: 32 years, Occu: Agri

Both R/o. Gavli Galli, Azad Chowk,
Taluka and District Latur

**....Appellants
(Ori. Claimants)**

VERSUS

1. The State of Maharashtra
Through the Collector, Latur
 2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
 3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur
-(Respondents)**

....
AND

FIRST APPEAL NO.1874 OF 2014

1. The State of Maharashtra
Through the Collector, Latur
 2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
 3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur
-Appellants
(Ori. Respondents)**

VERSUS

Pralhad S/o Ganpati Narhare,
Age: 60 years, Occu: Labourer,
R/o. Sale Galli, Veer Hanuman Road,
Latur, Tq. & Dist. Latur

**....(Respondent)
(Ori. Claimant)**

WITH

**X-OBJECTION (ST) NO.32041 OF 2018
IN FA/1874/2014**

Pralhad S/o Ganpati Narhare,
Age: 60 years, Occu: Labourer,
R/o. Sale Galli, Veer Hanuman Road,
Latur, Tq. & Dist. Latur

**....Appellant
(Ori. Claimant)**

VERSUS

1. The State of Maharashtra
Through the Collector, Latur
 2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
 3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur
-(Respondents)**

....
AND

FIRST APPEAL NO. 1875 OF 2014

1. The State of Maharashtra
Through the Collector, Latur
 2. The Special Land Acquisition Officer,
Minor Irrigation Work,
Latur, Tq. & Dist. Latur
 3. The Executive Engineer,
Minor Irrigation Local Section,
Latur, Tq. & Dist. Latur
-Appellants
(Ori. Respondents)**

VERSUS

Kumar S/o Vaijinath Kanshette,
Age: 55 years, Occu: Labourer,
R/o. Vaishali Nagar, Babhalgaon,
Latur, Tq. & Dist. Latur

**....(Respondent)
(Ori. Claimant)**

....

Mr. S. B. Jadhav, AGP for the Appellant/State in respective appeals
Mr. H. B. Nandgavale and Mr. S. V. Gundre, Advocate for respondents in
respective appeals

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 14.11.2025

JUDGMENT:-

1. These appeals are preferred by the State Government against
the common judgment and award dated 19.12.2012 passed by the learned

Reference Court i.e., Third Joint Civil Judge Senior Division, Latur in the Land Reference Cases. Except First Appeal No.1875 of 2014, in all other appeals Cross-objections are filed by the claimants. The State Government seeks reduction of compensation awarded by the learned Reference Court.

The details of the acquired lands are as under:-

Sr. No.	L.A.R. No.	Name of Claimant	Acquired Land Gut No.	Acquired Area H-R
1.	289/2008	Kumar Kanshette	489	0-015
2.	290/2008	Pralhad Narhare	490	14 ^{1/2}
3.	291/2008	Angad Narhare	490	14 ^{1/2}
4.	292/2008	Nagnath Khanapure	466	26

2. The learned AGP for the State submitted that the compensation awarded by the S.L.A.O. is proper and correct. However, the Reference Court enhanced the amount of compensation without considering the quality and potentiality of the land, which are decisive factors. He, therefore, prayed to allow the appeals and set aside the impugned judgment and award with regard to the amount of compensation which was enhanced by the Reference Court.

3. During the arguments, learned advocate for the respondents/claimants pointed out the judgments arising out of one and same acquisition proceedings and award of this Court in the case of ***Nirmalabai Bhausaheb Deshmukh Vs. State of Maharashtra and others***

(First Appeal No.1459 of 2020 with connected matters, decided by the Division Bench on 02.05.2025) and ***Sau. Meerabai W/o Daskumar Joshi Vs. The State of Maharashtra & Another*** (First Appeal No.3852 of 2022 with connected matters, decided on 22.09.2025), wherein this Court enhanced the amount of compensation and awarded @ Rs.240/- per sq. ft (inclusive of the compensation granted by the Reference Court) for the acquired lands of the claimants. It is submitted that the lands acquired in the aforesaid claims as well as in the present claims are situated in the one and same village, namely Babhalgaon, Tq. & Dist. Latur.

4. Perused the impugned judgment, the grounds of appeals and grounds raised in the Cross-Objections. After considering the impugned judgment as well as the decisions of this Court in the case of ***Nirmalabai Bhausaheb Deshmukh Vs. State of Maharashtra and others*** (First Appeal No.1459 of 2020 with connected matters decided by the Division Bench of this Court on 02.05.2025) and ***Sau. Meerabai W/o Daskumar Joshi Vs. The State of Maharashtra & Another*** (First Appeal No.3852 of 2022 with connected matters decided on 22.09.2025) (supra), this Court is of the view that the lands of the claimants which are acquired for same project are situated in one and same village, viz, Babhalgaon, Tq. & Dist. Latur. Therefore, on the ground of parity, the claimants are entitled for compensation at the same rate i.e., Rs.240/- per sq. ft (inclusive of the

compensation granted by the Reference Court).

5. Considering all these aspects, it would be proper to partly allow the cross-objections of the respondent/claimants. In view of the judgments of this Court in the case of ***Nirmalabai Bhausaheb Deshmukh Vs. State of Maharashtra and others*** (First Appeal No.1459 of 2020 with connected matters decided by the Division Bench of this Court on 02.05.2025) and ***Sau. Meerabai W/o Daskumar Joshi Vs. The State of Maharashtra & Another*** (First Appeal No.3852 of 2022 with connected matters decided on 22.09.2025).

6. Learned Reference Court erred while awarding interest. It would be proper to partly allow all the First Appeals only in respect of the amount of rate of interest which shall be awarded from the date of award of S.L.A.O as per Section 11 of the Land acquisition Act and not from the date of notification under Section 4 of the Land Acquisition Act. To this extent, all the appeals deserve to be allowed partly. Hence, the following order:

::ORDER::

i. First Appeal Nos. 1872 of 2014, 1873 of 2014, 1874 of 2014 and 1875 of 2014 and X-Objection (ST) No.32038 Of 2018 in FA/1872/2014, X-Objection No.143 Of 2025 in FA/1873/2014 and X-Objection (ST) No.32041 Of 2018 in FA/1874/2014 are partly allowed.

ii. The impugned judgment and award is partly set aside and it is corrected as under:

- a. The claimants/respondents are entitled for compensation @ Rs.240/- per sq. ft. including the compensation granted by the Reference Court.
- b. The claimants are entitled for the interest from the date of award of S.L.A.O passed under Section 11 of Land Acquisition Act.
- c. The claimants are entitled for the interest on the amount of enhanced compensation @ 9% per annum for the period of first year from the date of award of S.L.A.O. i.e., 09.08.2007 and @ 15% per annum for the subsequent years until the entire amount of compensation is paid.
- d. It is clarified that the respondents/claimants are not entitled for the interest for the period of delay, which was condoned by this Court.
- e. The enhanced amount of compensation shall be paid upon payment of deficit court fees.

[SANJAY A. DESHMUKH, J.]