



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

FIRST APPEAL NO. 1111 OF 2023

Govind Kashinathrao Gunthe

.. Appellant

Versus

The State Of Maharashtra And Others

.. Respondents

Mr. Suraj V. Gundre, Advocate for the Appellant.

Smt. Chaitali Choudhari-Kutti, AGP for Respondent Nos. 1 and 2.

AND

FIRST APPEAL NO. 1870 OF 2023

Baburao Nagnath Vazire (died)

Through L.Rs. Latabai Hanmant Parasbone

And Others

.. Appellants

Versus

The State Of Maharashtra And Others

.. Respondents

Mr. Suraj V. Gundre, Advocate for the Appellants.

Mr. R. B. Dhaware, AGP for Respondent Nos. 1 and 2.

CORAM : KISHORE C. SANT, J.

DATE : 01st OCTOBER, 2025.

PER COURT :-

. Both these appeals are arising out of the proceedings under section 18 of the Land Acquisition Act. The land of the appellants came to be acquired for the project of construction of Sulabh Jal

Sawardhan Yojana Pajhar Kalwa, Bhabhalgaon i.e. percolation tank. A notification came to be issued on 03.02.2004 under section 4 of the Land Acquisition Land. The award came to be passed on 24.07.2007. The learned S.L.A.O. awarded compensation at the rate of Rs. 1150/- per R. The appellants filed references. The learned Reference Court partly allowed the references and held the proper valuation of the land would be Rs. 166/- per sq. ft. The appellants are thus before this Court to the extent of not allowing the claim entirely. The claim of the appellants is of Rs. 300/- per sq. ft.

2. At the outset, learend advocate for the appellants places reliance on the judgment passed by this Court in First Appeal No. 1459/2020 along with other connected matters. The Division Bench of this Court by order dated 02.05.2025 allowed the appeals and granted the compensation at the rate of Rs. 240/- per sq. ft. While considering the rate the Court has also considered the deductions of 33% and granted the compensation at the rate of Rs. 240/- per sq. ft.

3. The learned A.G.P accepts this position that the appeals decided by the Division Bench are arising out of the same

acquisition proceedings.

4. Considering the above, this Court does not find any difficulty in allowing the first appeals. Hence, following order :

ORDER

(I) The First Appeal No. 1111/2023 and First Appeal No. 1870/2023 stand partly allowed.

(II) The appellants/land owners be paid compensation at the rate of Rs. 240/- per sq. ft. (inclusive of compensation granted by the learned Reference Court).

(III) Clause No. 4 of the award impugned herein stands maintained.

(IV) The interest on the amount of enhanced compensation be paid at the rate of Rs. 9% per annum for the period of first one year from the date of award i.e. 24.07.2007 and at the rate of Rs. 15% per annum for subsequent years onwards till the date of realization.

(V) With this, first appeals stand disposed of.

(KISHORE C. SANT, J.)

PS.B.