



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 FIRST APPEAL NO. 1412 OF 2013
WITH
CIVIL APPLICATION NO. 3733 OF 2020

Sindhubai Ankushrao Ambhure
Age 45 years, Occ. Agriculture
R/o. Shrishti, Tq. Partur,
District Jalna

...Appellant
(Ori. Claimant)

Versus

1. The State of Maharashtra
Through the Collector,
Jalna
2. The Special Land Acquisition
Officer (Minor Irrigation), Jalna
District Jalna
3. The Executive Engineer,
Minor Irrigation Division-1,
Jalna, District Jalna
(Acquiring agency)

...Respondents
(Ori. Respondents)

...
Advocate for Appellant : Mr. Vitthal D. Bhise
AGP for Respondent Nos. 1 and 2: Mr. V.V. Jahagirdar
Advocate for Respondent No.3 : Mr. B.R. Surwase
.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 17th DECEMBER 2025

ORAL JUDGMENT:-

1. This appeal is preferred against the judgment and award
passed by the Reference Court, Jalna in L.A.R. No. 511 of 1998

dated 08.09.2008.

2. The learned advocate for the appellant pointed out the pleadings as well as the impugned judgment and award and grounds of objection in the appeal. Learned advocate for the appellant pointed out that land block No. 421 admeasuring 1 Hectare 85 Are, situated at village Shrishti, Tq. Partur, district Jalna, is acquired for the purpose of Kasura Bruhat Laghu Patbandhare Project, by issuing a notification under Section 4 of the Land Acquisition Act, on 21.09.1995. The award was passed on 31.07.1998. The S.L.A.O. has granted Rs.340/- per Are for non irrigated land and Rs.680/- per Are for irrigated land. The learned Reference Court awarded Rs.540/- per Are for non irrigated land and Rs.1080/- for irrigated land.

3. Learned advocate for the appellant thereafter pointed out the judgment of this court dated 24.11.2025, delivered in first appeal No. 567 of 2011 with other connected appeals, by which this court awarded compensation @ Rs.1728/- per Are for non irrigated land. He therefore, submitted to award the same amount of compensation to the appellant herein, as the land under reference is acquired for one and the same project and from one and the same village. He submitted that 1 Hectare and 71 Are land was non irrigated land and 14 Are land was irrigated land, for which double price of the non

irrigated land shall be awarded.

4. Learned advocate for the acquiring body submitted that there is no substance in the grounds of objection of this appeal. The appellant is not entitled for enhanced compensation on the ground of principle of parity, as the lands are different. He therefore, submitted to dismiss the appeal.

5. On perusal of the impugned judgment and award as well as the judgment relied upon by learned advocate for the appellant, it appears that this Court has awarded enhanced amount of compensation in the first appeal No. 197 of 2025 with other connected appeals, decided on 29.4.2025 by which an amount of compensation at the rate of Rs.1728/- per Are for non irrigated land was awarded. The claimant's land is situated in one and the same village and it was acquired for one and the same project. Therefore, the claimant is certainly entitled for enhanced amount of compensation on the ground of principle of parity @ Rs.1728/- per Are for non irrigated land and Rs.3456/- per Are for irrigated land. The appeal is therefore, deserves to be allowed. The impugned judgment and award deserves to be partly set aside. Hence, the following order:-

O R D E R

- I. First appeal is partly allowed. The impugned judgment and award is modified to the following effect.
- II. The appellant is entitled for enhanced amount of compensation for her dry land @ Rs.1,728.00 per R and for irrigated land @ Rs.3,456/- per Are, alongwith all other statutory benefits, excluding interest and statutory benefits for the period of delay, if any, as well as for the period from the date of notification under Section 4 of the Land Acquisition Act, till the date of Award under Section 11 of the Land Acquisition Act.
- III. The respondent shall deposit the enhanced amount of compensation with accrued interest and the other benefits, in this Court, within 12 weeks from today.
- IV. The appellant shall deposit the deficit court fees, if any.
- V. The First appeal is accordingly disposed of.
- VI. In view of disposal of the first appeal, pending civil application, stand disposed of.

(SANJAY A. DESHMUKH, J.)

rlj/