



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

**CIVIL APPLICATION NO. 11426 OF 2011  
IN  
FIRST APPEAL (STAMP) NO. 19411 OF 2011**

The State of Maharashtra

.. Applicant  
[orig. Respondent]

**Versus**

Jayshree Narayan Kakde,  
Age : Major, Occu. : Agri.,  
R/o. Kumbhali, Taluka Karjat,  
District Ahmednagar

.. Respondent  
[Orig. Claimant]

**WITH  
FIRST APPEAL (STAMP) NO. 19411 OF 2011**

The State of Maharashtra

.. Appellant  
[orig. Respondent]

**Versus**

Jayshree Narayan Kakde,  
Age : Major, Occu. : Agri.,  
R/o. Kumbhali, Taluka Karjat,  
District Ahmednagar

.. Respondent  
[Orig. Claimant]

**WITH  
CIVIL APPLICATION NO. 11427 OF 2011  
IN  
FIRST APPEAL (STAMP) NO. 19411 OF 2011**

The State of Maharashtra

.. Applicant  
[orig. Respondent]

**Versus**

Jayshree Narayan Kakde,  
 Age : Major, Occu. : Agri.,  
 R/o. Kumbhali, Taluka Karjat,  
 District Ahmednagar

.. Respondent  
 [Orig. Claimant]

Mr. R. B. Dhaware, AGP for the Appellants/Applicants/State.

**AND**  
**CIVIL APPLICATION NO. 11432 OF 2011**  
**IN**  
**FIRST APPEAL (STAMP) NO. 19421 OF 2011**

The State of Maharashtra

.. Applicant  
 [orig. Respondent]

**Versus**

Pandya Kondiba (Mang)  
 Gorkhe – Dead  
 Though his L.Rs.

1. Anjana Pandit Gorkhe,  
 Age : 70 years, Occu. : Agri.,
2. Baba Pandit Gorkhe,  
 Age : 47 years, Occu. : Agri.,
3. Vilas Pandit Gorkhe,  
 Age : 40 years, Occu. : Agri.,
4. Sitabai Bhanudas Shinde,  
 Age : 45 years, Occu. : Agri.,
5. Rajubai Pandurang Mote,  
 Age : 43 years, Occu. : Agri.,
6. Pushpa Pandurang More,  
 Age : 38 years, Occu. : Agri.,

All R/o. Kambhali, Tal. Karjat,  
 District Ahmednagar

.. Respondents  
 [Orig. Claimants]

**WITH  
FIRST APPEAL (STAMP) NO. 19421 OF 2011**

The State of Maharashtra

.. Appellant  
[orig. Respondent]

**Versus**

Pandya Kondiba (Mang)  
Gorkhe – Dead  
Though his L.Rs.

1. Anjana Pandit Gorkhe,  
Age : 70 years, Occu. : Agri.,
2. Baba Pandit Gorkhe,  
Age : 47 years, Occu. : Agri.,
3. Vilas Pandit Gorkhe,  
Age : 40 years, Occu. : Agri.,
4. Sitabai Bhanudas Shinde,  
Age : 45 years, Occu. : Agri.,
5. Rajubai Pandurang Mote,  
Age : 43 years, Occu. : Agri.,
6. Pushpa Pandurang More,  
Age : 38 years, Occu. : Agri.,

All R/o. Kambhali, Tal. Karjat,  
District Ahmednagar

.. Respondents  
[Orig. Claimants]

**WITH  
CIVIL APPLICATION NO. 11433 OF 2011  
IN  
FIRST APPEAL (STAMP) NO. 19421 OF 2011**

The State of Maharashtra

.. Applicant  
[orig. Respondent]

**Versus**

Pandya Kondiba (Mang)  
Gorkhe – Dead  
Though his L.Rs.

1. Anjana Pandit Gorkhe,  
Age : 70 years, Occu. : Agri.,
2. Baba Pandit Gorkhe,  
Age : 47 years, Occu. : Agri.,
3. Vilas Pandit Gorkhe,  
Age : 40 years, Occu. : Agri.,
4. Sitabai Bhanudas Shinde,  
Age : 45 years, Occu. : Agri.,
5. Rajubai Pandurang Mote,  
Age : 43 years, Occu. : Agri.,
6. Pushpa Pandurang More,  
Age : 38 years, Occu. : Agri.,

All R/o. Kambhali, Tal. Karjat,  
District Ahmednagar

.. Respondents  
[Orig. Claimants]

Mr. R. B. Dhaware, AGP for the Appellants/Applicants/State.

**CORAM : KISHORE C. SANT, J.**

**DATE : 14<sup>th</sup> AUGUST, 2025.**

**FINAL ORDER :-**

**CIVIL APPLICATION Nos. 11426 OF 2011 & 11432 OF 2011 :**

1. Heard.
2. For the reasons recorded in the civil applications, delay

stands condoned. Civil applications are allowed and disposed of.

**FIRST APPEAL (STAMP) NOS. 19411 OF 2011 & 19421 OF 2011 :**

1. Heard. These appeals are filed by the State challenging common judgment and award dated 09.02.2009, passed by the learned Civil Judge, Senior Division, Shrigonda, District Ahmednagar in LAR Nos. 647 & 649 of 2003. These appeals are arising out of same acquisition proceeding and common judgment and award. Therefore, same are taken up together and are being disposed off.

2. The land of the respondents-claimants came to be acquired. Notification under section 4 of the Land Acquisition Act in respect of land acquisition was issued on 09.03.1998. The particulars of the proceeding, measurement of lands acquired, compensation awarded by the learned Special Land Acquisition Officer and the learned Reference Court are as under :-

| Sr. No | First Appeal (Stamp) No. | LAR No.  | Land Acquired | Award by SLAO Rs. per R | Award by Ref. Court Rs. per R |
|--------|--------------------------|----------|---------------|-------------------------|-------------------------------|
| 1.     | 19411/2011               | 647/2003 | 0 H 17 R      | 5083/-                  | 18054/-                       |
| 2.     | 19421/2011               | 649/2003 | 4 H 04 R      | 171296/-<br>per Acre    | 429048/-<br>per Acre          |

3. The Government of Maharashtra vide Government Resolution dated 03.11.2016 and Corrigendum dated 23.02.2017, took a decision to settle the appeals by accepting the market rates determined by the Reference Court, which are within parameters set out in the Government Resolution. In the present appeal, the compensation awarded by the learned Reference Court is within four times the compensation awarded by the learned Special Land Acquisition Officer. The learned AGP also could not point any illegality or perversity in the impugned judgment and award. No purpose would be served by keeping the appeal pending.

4. Therefore, the First Appeals are disposed off.

5. In view of disposal of First Appeals, pending civil applications for stay also stand disposed off.

**( KISHORE C. SANT, J. )**

PS.B.