



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

19 FIRST APPEAL NO. 241 OF 2022

RAMPRASAD DAJIBA SATHE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 240 OF 2022

GORAKHNATH KACHRU INGOLE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 811 OF 2021

YASHVANTA BHIVRAO INGOLE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 245 OF 2022

DAJIBA BHIMRAO SATHE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 2936 OF 2021

**LAXMAN DAGDUBA SATHE (DIED) THR LRS URMILA AND
ANR**

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 239 OF 2022

OMPRAKASH DAJIBA SATHE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

FIRST APPEAL NO. 244 OF 2022

HARIBHAU KACHRU INGOLE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND
20 FIRST APPEAL NO. 1364 OF 2022
VILAS SOPAN KATARE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

WITH
FIRST APPEAL NO. 1334 OF 2022

AND
32 FIRST APPEAL NO. 2215 OF 2022
BABASAHEB RAMRAO SATE (DIED) THR LRS
DNYANESHWAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
AURANGABAD AND ORS

AND
33 FIRST APPEAL NO. 2216 OF 2022
SOPAN BUVAJI GADVE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR,
AURANGABAD AND ORS

AND
34 FIRST APPEAL NO. 2218 OF 2022
SAKHARAM SHRIRANG RAUT
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR,
AURANGABAD AND ORS

AND
35 FIRST APPEAL NO. 2219 OF 2022
ASHOK ACHUTRAO GADVE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR,
AURANGABAD AND ORS

AND
36 FIRST APPEAL NO. 2220 OF 2022
PRAKASH SOPANRAO GADVE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND

37 FIRST APPEAL NO. 2495 OF 2022
PRALHAD SHANKARRAO CHAVAN (DIED) THR LRS.
DWARKABAI P. CHAVAN AND ANR

VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND

38 FIRST APPEAL NO. 3109 OF 2022
ARUN SOPANRAO GADVE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND

40 FIRST APPEAL NO. 4283 OF 2022
BHASKAR DEVRAO GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA AND ORS

AND

41 FIRST APPEAL NO. 258 OF 2023
TULSHIRAM DAJIBA RAUT AND ANR

VERSUS

THE STATE OF MAHARASHTRA THR THE COLLECTOR,
JALNA AND ORS

AND

47 CIVIL APPLICATION NO. 9628 OF 2021
IN FAST/17876/2021

NANDKISHOR RAMNARAYAN RATHI (DIED) THR LRS
NAVALKISHOR

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Adv. for Appellants in FAs : Mr. D. M. Kakade, Mr. V. D. Bhise,
 Mr. Kailas B. Jadhav and Mr. A. H. Korhalkar, respectively.

AGPs for Respondent/s-State in respective FA : Mr. N. R.

Dayma and Mr. S. V. Hange, respectively.

Advocate for Acquiring Body in respective FAs : Mr. S. C. Arora,
 Mr. V. C. Solshe, Mr. A. P. Yenegure, Mr. S. S. Dande, Mr. A. M.
 Gaikwad, Mr. S. W. Munde, Mr. H. P. Kshirsagar Mr. R. D.

Bhalerao h/f. Mr. R. C. Patil, respectively.

...

CORAM : SHAILESH P. BRAHME, J.
DATE : 18.12.2025

PER COURT :-

1. Taken up for final disposal with consent of the parties.
2. These appeals can be decided by common judgment. The issue involved is no more res-integra. This Court has taken consistent view relying upon rate of Rs.2500/- per R. awarded to the lands acquired for village Satona for Nimna Dhudhana Project. It is settled that the lands acquired for Nimna Dudhana Project from village Satona and surrounding villages namely Hatwan, Mapegaon, Revalgaon would fetch rate of Rs.2500/- per R. for dry land, Rs.5000/- for the irrigated land and Rs.3750/- for semi irrigated land and Rs.1250/- per R. for Potkharab land. The above rates are accepted after considering elaborate submissions of the parties in the latest common judgment dated 11.12.2025 passed in First Appeal No.1778 of 2024 and connected appeals. The same rate is required to be followed in the present appeals also.
3. The material particulars of the facts involved in the present appeals are follows :

NIMNNA DUDHANA PROJECT

VILLAGE: SALGAON, TALUKA: PARTUR, DISTRICT: JALNA.
(LAQ/GAOTHAN/CR NO.58/1997)

SR No.	F.A. No	L.A.R.No	Gut No.	Total Area	U/sec 4 Notification Date	U/sec 11 Award Date	S.L.A.O. Rate Per R as per Award	LR. Reference Court Enhanced rate per R	Type of land Reference Court awarded Acquired Area In ARE			
									Dry Land	Semi Irrigated	Irrigated	Pot kharab
19. A	241 of 2022 Ramprasad D Sathe	201/2011	9/2	02 H 83 R	10.12.1998	04.03.2002	Rs.592/-	Rs.2,000/-	2 H 83 R	-----	-----	----
19. B	244 of 2022 Haribhau K Ingole	208/2011	2/1	02 H 83 R	10.12.1998	04.03.2002	Rs.644/-	Rs.3,000/-	-----	2 H 04 R	-----	----
19. C	240 of 2022 Gorakhnath K Ingole	213/2011	2/1	02 H 04 R	10.12.1998	04.03.2002	Rs.644/-	Rs.3,000/-	-----	2 H 04 R	-----	----
19. D	811 of 2021 Yashvant B Ingole	197/2011	2/2	00 H 33 R	10.12.1998	04.03.2002	Rs.731/-	Rs.3,000/-	-----	0 H 33 R	-----	----
19. E	239 of 2022 Omprakash D Sathe	198/2011	64/2	00 H 45 R	10.12.1998	04.03.2002	Rs.1020/-	Rs.2,000/- Rs.3,000/- Rs.4,000/-	0 H 06 R	0 H 18 R	0 H 21 R	----
19. F	245 of 2022 Dajiba B sathe	200/2011	9/1	02 H 00 R	10.12.1998	04.03.2002	Rs.619/-	Rs.2,000/-	2 H 00 R	-----	-----	----
19. G	2936 of 2021 Laxman D Sathe	199/2011	4/2	01 H 35 R	10.12.1998	04.03.2002	Rs.641/-	Rs.2,000/-	1 H 35 R	-----	-----	----

20. A	1364 of 2022 Vilas S. Katare	169/2013	6/1	04 H 78 R	10.12.1998	04.03.2002	Rs.635/-	Rs.3,000/- AND Rs.4,000/-	----	3 H 18 R	1 H 60 R	----
20. B	1334 of 2022 Ashok B. Katare	170/2013	6/2	04 H 77 R	10.12.1998	04.03.2002	Rs.636/-	Rs.3,000/- AND Rs.4,000/-	----	3 H 17 R	1 H 60 R	----
32	2215 of 2022 Babasaheb (Died) Dnyaneshwar & Ors	314/2012	70/7, 70/8, 71/8	00 H 73 R 01 H 12 R ----- 01 H 85 R	10.12.1998	04.03.2002	Rs.636/-	Rs.2,000/- Rs.3,000/- AND Rs.1,000/-	0 H 73 R	1 H 12 R	-----	0 H 04 R
33.	2216 of 2022 Sopan B Gadave	643/2010	11/1 68/7	01 H 18 R 00 H 23 R ----- 01 H 41 R	10.12.1998	04.03.2002	Rs.644/- Rs.966/-	Rs.3,000/-	----	1 H 41 R	-----	-----
34.	2218 of 2022 Sakharam Raut	1016/2010	68 20	00 H 30 R 00 H 01 R ----- 00 H 31 R	10.12.1998	04.03.2002	Rs.591/-	Rs.2,000/- AND RS.1,000/-	0 H 30 R	-----	-----	00 H 01 R
35.	2219 of 2022 Ashok A Gadve	1017/2010	12/2	01 H 05 R	10.12.1998	04.03.2002	Rs.591/-	Rs.2,000/-	1 H 05 R	-----	-----	-----
36.	2220 of 2022 Prakash S Gadve	109/2010	10/3 10/2 11/1	00 H 81 R 0 H 40 R 01 H 18 R ----- 02 H 39 R	10.12.1998	04.03.2002	Rs.623/-	Rs.2,000/-	2 H 39 R	-----	-----	-----

37.	2495 of 2022 Pralhad (Died) Dwarkabai & Or	293/2013	7	01 H 49 R	10.12.1998	04.03.2002	Rs.636/-	Rs.2,000/-	1 H 49 R	----	----	----
38.	3109 of 2022 Arun S Gadve	645/2010	11/1	01 H 18 R	10.12.1998	04.03.2002	Rs.591/-	Rs.2,000/-	1 H 18 R	-----	-----	-----
40.	4283 of 2022 Bhaskar D Gaikwad	217/2010	8/2	01 H 69 R	10.12.1998	04.03.2002	Rs.563/-	Rs.2,000/-	1 H 69 R	-----	-----	-----
41.	258 of 2023 Tulsiram Raut & Or	168/2013	69/3 & 69/4	0 H 78 R 01 H 28 R ----- Total Area 02 H 06 R	10.12.1998	04.03.2002	Rs.600/- Rs.598/-	Rs.2,000/-	2 H 06 R	----	----	----
47.	17876 of 2021 Nandkishor (Died) Navalkishor	294/2013	70/8 & 71/9	00 H 66 R 01 H 42 R ----- Total Area 01 H 08 R	10.12.1998	04.03.2002	Rs.636/-	Rs.3,000/- Rs.4,000/- AND Rs.1,000/-	----	0 H 42R	0 H 65 R	0 H 01 R

4. The lands in the present appeals are from village Salgaon which is adjacent to village Satona and those were acquired for self-same project. In view of the judgment passed by Supreme Court in the matters of *Ali Mohammad Beigh and others Vs. State of J. & K. [AIR 2017 SC 1518]* and *Huchanagouda Vs. The Assistant Commissioner and Land Acquisition Officer and others ; (2020) 19 SCC 236*, though the lands are from different villages those are required to be treated at par for fixing the rate. Appellants are entitled to have escalations considering base price of Rs.2500/- per R. for dry land as on 31.03.1996.

5. It is relevant to notice of respondent/acquiring body has not preferred any appeal. The classification, rate and the similarity have not been disputed by them. In that view of the matter, I find no difficulty in relying upon the consistent view in awarding rate of Rs.2500/- per R. for dry land with escalations.

ORDER

- (i) First appeals are allowed partly.
- (ii) Appellants shall be entitled to receive rate of Rs.3,176/- per R. for dry land, Rs.4,764/- per R. for semi irrigated land, Rs.6,352/- per R. for irrigated land and Rs.1588/- per R. for Potkharab land according to the classification of the lands acquired stated in the above referred chart.
- (iii) Appellants shall be entitled to interest under Section 28 and 34 from the date of award as per law laid down in the judgment of Full Bench in case of *State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]*.

- (iv) Save and Except above modification. Rest of the impugned judgment and award shall remained unaltered.
- (v) The appellants shall pay deficit court fees, if any.
- (vi) Award be drawn accordingly.
- (vii) Record and proceeding be sent back to the concerned Court.
- (viii) Appellants shall not be entitled for interest and statutory benefits for the delayed period.

(SHAILESH P. BRAHME, J.)

...

vmk/-