



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

08 FIRST APPEAL NO. 2856 OF 2021

Pandit Sitaram Borade .. Appellant

Versus

The State of Maharashtra, through
Collector, Jalna and others .. Respondents

Shri Vitthal D. Bhise, Advocate for the Appellant.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.
Mrs. Sunita D. Shelke, Advocate for the Respondent No. 3.

**WITH
FIRST APPEAL NO. 2857 OF 2021**

Bhaskar Bhanudas Borade .. Appellant

Versus

The State of Maharashtra, through
Collector, Jalna and others .. Respondents

Shri Vitthal D. Bhise, Advocate for the Appellant.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.
Shri A. H. Koralkar, Advocate for the Respondent No. 3.

**AND
FIRST APPEAL NO. 2513 OF 2022**

Abhilash Rajendrakumar Borade
and another .. Appellants

Versus

The State of Maharashtra, through
Collector, Jalna and others .. Respondents

Shri Vitthal D. Bhise, Advocate for the Appellant.
Mrs. M. N. Ghanekar, A.G.P. for the Respondent Nos. 1 and 2.
Mrs. Sunita D. Shelke, Advocate for the Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.
DATE : 19TH DECEMBER, 2025.

FINAL ORDER :

. Heard both sides finally at the admission stage with their consent.

2. Appellants are challenging judgment and award passed by the Reference Court in their respective land acquisition references. They are claiming parity for receiving rate of Rs. 2,500/- per R for dry land with escalation by cumulative effect.

3. Learned counsel for the appellants submits that the cases of the appellants are squarely covered by the consistent view taken by this Court in granting enhancement in the rate.

4. Learned counsels for the respondent – acquiring body have opposed the submissions. It is submitted that appellants have failed to make out any case for the enhancement of the compensation.

5. Lands of the appellants have been acquired for Nimna Dudhna Project. Those are from village Patoda, Tq. Mantha, Dist. Jalna and they are dry lands. Following are the material particulars.

Sr. No.	First Appeal No.	L.A.R. No.	Land gut No.	Area	Date of Sec. 4 notification	Date of Award U/Sec. 11	Rate granted by S.L.A.O.	Rate awarded by Reference Court
1	2513 of 2021	959 of 2010	22 108	92R 09R	24.05.2021	23.05.2004	Rs. 811/- Rs. 833/- per R dry	Rs. 2500/- Per R for Dry
2	2856 of 2021	393 of 2010	155	80R	24.05.2021	23.05.2004	Rs. 848/- Per R for Dry	Rs. 2500/- Per R for Dry
3	2857 of 2021	528 of 2010	155	80R	24.05.2021	23.05.2004	Rs. 848/- Per R for Dry	Rs. 2500/- Per R for Dry

6. This Court has taken consistent view in awarding rate of Rs. 2,500/- per R for dry land. The acquired lands are from various villages in the vicinity of village Satona. Villages from Koregoan, Chincholi, Mapegaon and Patoda form cluster. The lands acquired for self same project. Appellants are squarely covered by following decisions.

- I Ali Mohammad Beig and others Vs. State of J. & K. reported in 2017 (5) Mh.L.J. 545.
- II Huchanagouda Vs. The Assistant Commissioner and Land Acquisition Officer and others reported in (2020) 19 SCC 236.
- III Order dated 14.07.2022 passed in First Appeal No. 2939 of 2021 in the matter of Antikabai Damodhar Honde (Died) through L.Rs. Damodhar Dattu Honde and another Vs. The State of Maharashtra and others.
- IV Order dated 19.08.2022 passed in First Appeal No. 1958 of

2018 in the matter of Shashikala Bapurao Manwatkar Vs. The State of Maharashtra and others.

- V Order dated 12.08.2025 in the matter of Datta Eknath Manwatkar Vs. The Special Land Acquisition Officer, M.I.W. Jalna and others in First Appeal No. 4285 of 2022.
- VI Judgment dated 14.11.2025 in the matter of Uttam Bapurao Sakalkar (died) through L.r's Sarubai Uttamrao Sakalkar and others Vs. The State of Maharashtra and others in First Appeal No. 2259 of 2021.

7. The appellants are entitled to have escalation at rate of 10% per annum by cumulative effect. Appellants are entitled to escalation for four years and 11 months. They are justified in claiming rate of Rs. 4,080/- per R for dry land. It is desirable to grant them enhancement by passing following order.

O R D E R

- A. The first appeals are allowed partly.
- B. The appellants are entitled to receive rate of Rs. 4,080/- per R for dry lands.
- C. The appellants shall be entitled to interest U/Sec. 28 and 34 of the L. A. Act is payable from the date of final award as per the judgment the State of Maharashtra Vs. Kailas Shiva Rangari reported in *2016(4) All MR 513.*

- D. Save and except above modification, impugned judgment and award shall stand unaltered.
- E. The appellants shall not be entitled to receive interest and statutory benefits for the delayed period.
- F. The appellants shall pay the deficit court fees.
- G. Award be drawn up accordingly.
- I. Record and proceeding shall be sent back.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25