



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

FIRST APPEAL NO. 1644 OF 2023

Annapurna D/o Sudam Padar @
Annapurna w/o Dashrath Ghorsad
Since deceased through her L.Rs.
Ashwini Dashrath Ghorad
and others .. Appellants

Versus

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

Shri Vitthal D. Bhise, Advocate for the Appellants.
Shri R. N. Dayma, A.G.P. for the Respondent Nos. 1 and 2.
Shri Santosh C. Bhosale, 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 dated 18.03.2009 passed by the Reference Court in L. A. R. No. 148 of 2004. 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 case of the appellants is squarely covered by the consistent view taken

by this Court in granting enhancement in the rate.

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

5. Land of the appellants has been acquired for Nimna Dudhna Project. Same is from village Chincholi, Tq. Partur, Dist. Jalna and same is dry. 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	1644 of 2023	148 of 2004	81	01H 00R	20.03.1997	06.08.1998	Rs. 425/- Per R for Dry	Rs. 1200/- 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 land 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 10 months 06 days. They are justified in claiming rate of Rs. 2,714/- per R for dry land. It is desirable to grant them enhancement by passing following order.

O R D E R

- A. The first appeal is allowed partly.
- B. The appellants are entitled to receive rate of Rs. 2,714/- 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