



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

940 FIRST APPEAL NO. 1502 OF 2025

KOKILABAI BALIRAM PATIL AND ANR

VERSUS

**THE SPECIAL LAND ACQUISITION
OFFICER-2, U.T.H.P., JALGAON AND ORS**

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Advocate for the Appellant : Ms.Sakshi A.Kale a/w.Mr.Kale Ajeet B.

AGP for Respondent No.1 : Mr.D.B.Bhange

Advocate for Respondent No.2 :Mr.S.B.Kadu

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CORAM : SHAILESH P. BRAHME, J.

DATE : 10th JULY 2025

PER COURT :

. Heard both sides.

2. With the consent of the parties, this appeal can be decided finally in view of supervening events. Learned counsel for the appellants tenders on record a compilation to bolster the submission that the acquiring body had preferred First Appeal No. 97 of 2021 arising out of self-same acquisition proceedings which was permitted to be withdrawn vide order dated 22.11.2022. It is submitted that the rate awarded by presiding officer of the tribunal at Nagpur vide order dated 04.01.2020 are confirmed. On the ground of parity, appellant is claiming the same rate.

3. Learned counsel Mr.Kadu for the acquiring body concedes the above referred position.

4. Learned counsel for the appellants on instruction makes a statement that she is not pursuing her appeal to the extent of the compensation of the trees, the relief which is denied by the reference court.

5. Present appeal is for the enhancement of the compensation. The rate awarded by reference court vide judgment dated 15.06.2013 is to the tune of Rs.4,40,000/- per hectare for irrigated land is under challenge. In view of order dated 22.11.2021 passed in First Appeal No. 97 of 2021 with connected matters and common judgment and order of the tribunal dated 04.01.2020, appellant is entitled to receive rate of Rs.8,56,000/- per hectare. The compensation payable to the appellant shall be computed in accordance with above referred rate.

6. i) First appeal is allowed with modification/enhancement of the compensation to the rate of Rs.8,56,000/- per hectare from Rs.4,40,000/- per hectare.

ii) Accordingly the compensation shall be calculated.

iii) Rest of the award passed by judgment dated 15.06.2023 shall remain unaffected.

iv) Award be passed in above terms.

[SHAILESH P BRAHME, J.]