



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

FIRST APPEAL NO. 1607 OF 2016

1. The State of Maharashtra,
Through the Collector, Latur.
 2. The Special Land Acquisition Officer,
P.T. & I.T., Latur.
 3. The Executive Engineer,
Local Sector [E.G.S.], Latur.
- .. Appellants
[orig. Respondents]

Versus

1. Ram Dnyanoba Bhandare, Age 22 years,
2. Dnyanoba Vithal Bhandare, Age 50 years,
3. Ankush Pandhari More, Age 40 years,
4. Vasant Pandhari More, Age 50 years,

All Occu. : Agri., R/o. : Arasnal,
Tq. Deoni, Dist. Latur.

.. Respondents
[Orig. Claimants]

AND

FIRST APPEAL NO. 1608 OF 2016

1. The State of Maharashtra,
Through the Collector, Latur.
 2. The Special Land Acquisition Officer,
P.T. & I.T., Latur.
 3. The Executive Engineer,
Local Sector [E.G.S.], Latur.
- .. Appellants
[orig. Respondents]

Versus

1. Kashinath Ramrao Parit,
Age : 35 years, Occu. : Agri.,
2. Vishwanath s/o. Ramrao Parit,
Age : 30 years, Occu. : Agri.,

Both R/o. : Arasnal,
Tq. Deoni, Dist. Latur.

.. Respondents
[Orig. Claimants]

AND**FIRST APPEAL NO. 1609 OF 2016**

1. The State of Maharashtra,
Through the Collector, Latur.
2. The Special Land Acquisition Officer,
P.T. & I.T., Latur.
3. The Executive Engineer,
Local Sector [E.G.S.], Latur.

.. Appellants
[orig. Respondents]

Versus

1. Shivaji Pandharinath Mane,
Age : 55 years, Occu. : Agri.,
2. Dinkar Pandharinath Mane,
Age : 50 years, Occu. : Agri.,

Both R/o. : Arasnal,
Tq. Deoni, Dist. Latur.

.. Respondents
[Orig. Claimants]

Mr. S. B. Jadhav, AGP for the Appellants/State.
Mr. Manoj G. Biradar, Advocate for Respondents/claimants.

CORAM : KISHORE C. SANT, J.

DATE : 14th AUGUST, 2025.

FINAL ORDER :-

. All these appeals are arising from the same acquisition proceedings. The appeals are arising out of the L.A.R.'s those are decided by way of common judgment and order. The State has filed these appeals challenging judgment and award dated 17.08.2013 passed by the learned C.J.S.D., Udgir, District Latur. The learned Judge by way of impugned judgment and award has enhanced the amount of compensation as given in the chart.

SR. NO.	FA NO.	LAR NO.	SLAO RATE	REFERENCE COURT RATE
1.	1607/2016	906/10 (Old No. 127/06)	Rs. 69,500/- per H Rs. 695/- per R	Rs. 2100/- per R for dry land Rs. 2,10,000/- per H Rs. 3,15,000/- per H (Rs. 3150/- per R) for seasonally irrigated land
2.	1608/2016	905/10 (Old No. 126/06)	Rs. 69,500/- per H Rs. 695/- per R	Rs. 2100/- per R for dry land Rs. 2,10,000/- per H Rs. 3,15,000/- per H (Rs. 3150/- per R) for seasonally irrigated land
3.	1609/2016	907/10 (Old No. 128/06)	Rs. 69,500/- per H Rs. 695/- per R	Rs. 2100/- per R for dry land Rs. 2,10,000/- per H Rs. 3,15,000/- per H (Rs. 3150/- per R) for seasonally irrigated land

2. By way of impugned judgment and award the learned Judge has granted compensation at the rate of Rs. 2,100/- per R for dry land and Rs. 3,150/- per R. for seasonally irrigated land. The learned S.L.A.O. had granted compensation at the rate of Rs. 695/- per R.

3. The learned A.G.P. vehemently argued that, the learned Trial Judge while partly allowing the L.A.R.'s has failed to appreciate that the learned S.L.A.O. had granted the rate by considering sale instances, location of the land, quality of the land and other relevant factors. The learned Reference Court committed a mistake in relying upon the evidence laid by the claimants/respondents. He thus prays for allowing the appeals by quashing and setting aside the impugned judgment and award.

4. The learned advocate for the respondents/claimants vehemently opposes the appeals. He submits that, before the learned Trial Court the claimants had given evidence in the form of sale deeds. By way of sale instances at Exh. 18, shows that the sale of the land had taken place at the rate of Rs. 3,968/- per R. In another sale instance one Deelip Tulshiram purchased 50 R

land from Survey No. 63 of the same village for consideration of Rs. 2,50,000/- which come to Rs. 5,000/- per R. That sale deed is at Exh. 19. He submits that when this was the evidence before the learned Trial court, the learned Trial Court has rightly awarded the compensation by considering the deductions.

5. It is a matter of record that, the land was acquired for project of percolation tank at Arasnal. The notification under section 4 of the Land Acquisition Act was issued on 05.08.2001. The award was passed on 30.04.2003. The sale instances relied upon by the learned Trial Court are of the year 2000 i.e. prior to issuance of notification under section 4 of the Land Acquisition Act. This Court finds that, no illegality is committed by the learned Trial Judge in considering the said sale instances. This Court does not find any illegality or perversity in the order calling for interference at the hands of this Court. This Court holds that, the first appeals deserve to be dismissed.

6. The first appeals stand dismissed. No order as to costs.

7. If the amount of enhanced compensation is deposited in this Court or in the learned Reference Court, the same is permitted to

be withdrawn by the claimants. If the amount is already withdrawn on any condition of surety, security or bank guarantee the same stands discharged.

(KISHORE C. SANT, J.)

PS.B.