



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

**968 X-OBJECTION NO. 196 OF 2025
IN FA/989/2010**

Mankorbai Ganpatsinh Girase (Died)
Though L.rs.

1. Bhika Ganpat Girase
Age : 50 years, Occu: Agri
2. Pranbai Pratapsing Girase
Age: 45 years, Occu: Agri
3. Kamalbai @ Bakhatbai Aaba Girase
Age: 52 years, Occu: Agri
4. Bhurabai Ganpatsing Girase
Age: 48 years, Occu: Agri

All R/o Wadi Tq. Shindkheda
Dist. Dhule

....PETITIONERS

VERSUS

1. The State of Maharashtra
Through The Special Land Acquisition
Officer, Medium Irrigation Project,
Dhule
2. The Executive Engineer,
Medium Project, Division No.2
Sinchan Bhawan, Sakri Road,
Dhule, Dist. Dhule

....RESPONDENTS

...
Mr. Kale Ajeet B., Advocate for the Petitioner
Mr. S. B. Jadhav, AGP for Respondents/State
Mr. D. D. Pokharkar, Advocate for Respondent No.2

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 18.11.2025

ORDER :-

1. This Cross-objection is preferred challenging First Appeal No.989 of 2010 filed by the State. In view of the Government Resolution dated 03.11.2016 and the subsequent corrigendum dated 23.02.2017 and 13.08.2018, the said First Appeal came to be disposed of as withdrawn in the Lok Adalat held on 09.12.2023.

2. It is submitted by the learned advocates for both sides that this Court, while deciding First Appeal No. 2085 of 2017 and the connected Appeals / Cross-Objections on 12.06.2025 arising out of the same award relating to the Wadi Shevadi Medium Project, had relied upon the judgment of this Court in First Appeal No. 1367 of 2020, which also arose out of the same acquisition proceedings. In that appeal, this Court had taken into consideration that, before the National Lok Adalat, the rate for irrigated land was settled at Rs.4,00,000/- (Rupees Four Lakh) per hectare. On that basis, this Court, in First Appeal No. 2085 of 2017 and the connected matters, granted compensation at the rate of Rs.2,00,000/- (Rupees Two Lakh Only) per hectare for Non-irrigated / Jirayat lands.

3. Learned advocate for the claimants submitted that in this Cross-Objection, the acquired lands comprise 2H 28R irrigated land and 0.41 R Potkharaba land, for which compensation at the rates of Rs.4,00,000/- (Rupees Four Lakh) per hectare and Rs.1,00,000/- (Rupees One Lakh) per hectare respectively, be granted to the claimants on the principle of parity.

4. Perused the impugned judgment and award as well as the evidence available on record and order dated 12.06.2025 passed by this Court in First Appeal No. 2085 of 2017 and the connected Appeals / Cross-Objections. In view of paragraph No.3 of the order referred above which has been relied upon by the learned advocate for the claimants, it is observed that compensation of Rs.2,00,000/- per hectare is to be awarded for non-irrigated land which were acquired for the same project. It is settled principle that irrigated land is valued at double the rate of non-irrigated land i.e., Rs.4,00,000/- per hectare and Potkharaba land is valued at half the rate of non-irrigated land i.e., Rs.1,00,000/- per hectare.

5. In view of the above, the Cross-Objection filed by the claimants deserves to be allowed on the principle of parity. The

Cross-objection is allowed accordingly. The claimants are entitled for the compensation at the rate of Rs.4,00,000/- (Rupees Four Lakh) per hectare for 2 H and 28 R irrigated land, including earlier awarded amount and Rs.1,00,000/- per hectare for 0.41 R Potkharab land. The award passed by the learned Reference Court is modified accordingly. It is clarified that although the delay of 505 days was condoned by this Court, the claimants shall not be entitled for the statutory benefits like interest etc., for the period of delay.

6. Pending Civil Applications, if any, stand disposed of.

[SANJAY A. DESHMUKH, J.]

HRJadhav