



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

**CIVIL APPLICATION NO. 10779 OF 2024
IN FAST/27496/2024**

**BHAULAL JAISING RATHOD
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, UPPER TAPI
PROJECT, HATNUR-1, JALGAON AND ANR**

**WITH
CIVIL APPLICATION NO. 10778 OF 2024
IN FAST/27497/2024**

**PANDIT JAISING RATHOD
VERSUS
SPECIAL LAND ACQUISITION OFFICER 1 UTPH JALGAON
AND ANR**

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Mr. Vijay Y. Patil, Advocate for Applicants.
Mr. D. B. Bhange ,AGP for Respondents-State.
Mr. Darshan Pokharkar, Advocate for Respondent No.2.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 04th FEBRUARY, 2025.**

P.C.:-

1. Heard the learned counsel appearing for the parties.
2. Civil Application are filed to condone delay in filing First Appeals. The learned counsel for the applicants submits that the claimants would not claim any interest and statutory benefits for the delayed period.
3. For the reasons stated in the Civil Applications, the same are allowed subject to condition that the applicants – claimants shall not claim interest and statutory benefits for the delayed period. Delay of 6438 days is condoned. Civil Applications are **disposed of** accordingly. Appeals be registered.

4. Heard the learned counsel for the parties in the First Appeals.

5. The learned counsel for the appellants—original claimants submits that these matters can be disposed of in terms of the order dated 20.10.2023 passed in First Appeal No.3331 of 2023 and order dated 19.10.2023 passed in First Appeal No.5165 of 2017 along with connected matters.

6. The learned counsel for the respondent—acquiring body has placed on record a chart dated 28.01.2025 regarding Waghur Project whereby instructions are received that the amount of compensation be accepted at Rs.2,00,000/- for Jirayat land. The said chart is taken on record and same is marked as 'X' for identification purpose.

7. In terms of the order dated 20.10.2023 passed in First Appeal No.3331 of 2023 and order dated 19.10.2023 passed in First Appeal No.5165 of 2017 along with connected matters and also in view of the chart dated 28.01.2025, which is in conformity with the order dated 19.10.2023 passed in First Appeal No.5165 of 2017 and the submissions of the learned counsel appearing for the acquiring body, the following order is passed :

ORDER

a. The award of the Reference Court is modified to the extent of Jirayat land and the appellants are granted compensation of Rs.2 lacs per hectare to the Jirayat land.

- b. Remaining compensation and interest would be worked out accordingly by the Executing Court. Other statutory benefits would also be worked out by the Executing Court.
- c. Needless to state that appellants-claimants would not be entitled for statutory benefit and interest for the delayed period.
- d. Award be modified accordingly. First Appeals are **disposed of**.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/February-2025