

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

938 FIRST APPEAL NO. 1183 OF 2019

The State Of Maharashtra And Ors

VERSUS

Sahebrao Kisan Kendhale

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Mr. B. A. Shinde – Asst. Govt. Pleader for the Appellants
Mr. Firoj Ahmad Shirpurkar a/w Mr. Jay Raundale h/f Mr. K. M. More -
Advocate for Respondent

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CORAM : NEERAJ P DHOTE, J.

DATED : 17TH DECEMBER, 2025

PER COURT : -

1. This is an Appeal under Section 54 of the Land Acquisition Act by the State against the Judgment and Award dated 26.08.2015 passed by the learned Jt. Civil Judge Senior Division, Jalna, in Land Acquisition Reference No. 2654 of 2010.

2. The Respondent is the Original Claimant. His land bearing Gut No. 286, *ad measuring* 1 Hector 42 *Are* came to be acquired for Storage Tank at Karjat, Taluka Ambad, District Jalna. The Special Land Acquisition Officer [for short 'SLAO'] determined the rate of Rs. 1087/- per *Are*. Being not satisfied with the compensation granted by the SLAO, the Claimant filed the aforesaid Reference Application for enhanced compensation. The learned Reference Court by the impugned Judgment and Award enhanced the compensation to Rs. 2475/- per *Are*.

3. The learned AGP appearing for the Appellant/State submits that the compensation enhanced by the learned Reference Court is within four times of the compensation granted by the SLAO. He submits that, the GR dated 03.11.2016 and Corrigendum to the said GR dated 23.02.2017, provides that no Appeal shall be filed by the State or its instrumentalities if the Award passed by the learned Reference Court is within four (4) times than the compensation granted by the Land Acquisition Officer. He submits that, this Appeal can be disposed off.

4. The learned Advocate for the Respondent is present.

5. The copy of the impugned Judgment and Award is enclosed with the Appeal memo. The submission made by the learned AGP in respect of the rate granted by the SLAO and the compensation enhanced by the Reference Court is supported by the observations in the impugned Judgment. There is no dispute in respect of the above referred GR and the policy decision by the Government. It is clear that the compensation enhanced by the learned Reference Court is within four times of the compensation awarded by the SLAO.

6. In view of the above, this Appeal is disposed off in view of the above referred GR and Corrigendum. No orders in respect of the

withdrawal of the amount by the Claimant/s is warranted in view of the order dated 02.07.2018 passed in this Appeal.

7. No order as to costs.

8. R&P be sent back to the learned Reference Court.

[NEERAJ P. DHOTE]
JUDGE

SG Punde