



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

103 FIRST APPEAL NO. 4121 OF 2022

SK. YASIN SK. CHAND

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Mr. V.D. Bhise h/f Mr. Pisal Pramod A.

AGP for Respondent nos. 1 & 2 : Mr. S.V. Hange

Advocate for Respondent No. 3 : Mr. Swami Mahesh Chandrashekhar

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CORAM : SHAILESH P. BRAHME, J.

DATE : 03.11.2025

PER COURT :

Heard both sides finally with consent.

2. The issue involved in the first appeal is no more *res integra*. Already group of appeals was decided by the coordinate bench granting the rate which is claimed by the present appellant. A common judgment and order dated 29.04.2025 passed by coordinate bench in First Appeal No. 197/2025 and connected matters is placed on record for the ready reference. Besides that, the learned counsel for the respondent-Acquiring Body has fairly conceded the position that the appellant is entitled to have rate of Rs. 1728/- per Are for dry land, Rs. 2592/- per Are for partially irrigated land and Rs. 3456/- per Are for fully irrigated land. The written instructions of the competent authority are also placed on record.

3. In view of the above position, first appeal needs to be allowed partly by following order:

ORDER

(I) First Appeal is partly allowed with proportionate costs.

(II) The appellant shall be entitled for the enhanced compensation of his land i.e. for dry land @ 1728/- per Are along with the statutory benefits, excluding **interest and statutory benefits for the period of delay** as well as for the period from the date of notification under Section 4 of the Act till the date of Award under Section 11 of the Act.

(III) First Appeal is accordingly disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-