



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

2 FIRST APPEAL NO. 2836 OF 2017

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Maruti Lahanu Darade, Age 65 years,
2. Prabhakar Lahanu Darade,
Age : 50 years, Both Occu. Agriculture,
R/o. Poundul, Tq. Shirur (Kasar),
Dist. Beed.

... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2843 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

Shahadeo Bhaguji Kashi,
Age : 30 years, Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondent
(Org. Claimant)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent.

...

**WITH
FIRST APPEAL NO. 2846 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Arjun Manik Sanap,
2. Pralhad Gopinath Sanap,
Both Age Major, Occu. Agriculture,
R/o. Poundul, Tq. Shirur (Kasar),
Dist. Beed.

... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2847 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Bhaskar Karbhari Sanap,

2. Fulchand Karbhari Sanap,
Both Age : Major, Occu. Agriculture,
R/o. Poundul, Tq. & Dist. Beed. ... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2838 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed. ... Appellants
(Org. Respondents)

Versus

1. Shivaji Trimbak Sanap, Age 40 years,
2. Deelip Trimbak Sanap,
Age : 38 years, Both Occu. Agriculture,
R/o. Poundul, Tq. Shirur (Kasar),
Dist. Beed. ... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2845 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,

Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

Aprugabai Prallhad Sanap, Age : 40 yrs.
Occu. Agriculture, R/o. Poundul,
Tq. Shirur (Kasar), Dist. Beed.

... Respondent
(Org. Claimant)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2841 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

Bhima Vishwanath Arsul,
Age - yrs., Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondent
(Org. Claimant)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2842 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,

Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Bhagwan Ashruba Sanap, Age : 65 yrs.
2. Dinkar Manik Sanap, Age : Major,
3. Babasaheb Gopinath Sanap, Age: Major,
All Occu. Agriculture, R/o. Poundul,
Tq. & Dist. Beed.

... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 to 3.

...

**WITH
FIRST APPEAL NO. 2844 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

Laxman Damodar Arsul,
Age: 50 years, Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondent
(Org. Claimant)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent.

...

**WITH
FIRST APPEAL NO. 2837 OF 2017**

1. The State of Maharashtra,

Through Collector, Beed.

2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Laxman Maruti Kashid.
2. Rajabhau Maruti Kashid.
3. Ramdas Maruti kashid,
All Age Major, Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;

Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 to 3.

...

**WITH
FIRST APPEAL NO. 2839 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.

... Appellants
(Org. Respondents)

Versus

1. Rama Damodar Arsul.
2. Prabhakar Lahanu Darade,
Both Age – Major, Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondents
(Org. Claimants)

...

Ms. M. L. Sangit, APP for Appellants;

Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent Nos.1 and 2.

...

**WITH
FIRST APPEAL NO. 2840 OF 2017**

1. The State of Maharashtra,
Through Collector, Beed.
 2. The Sub-Divisional Officer,
Minor Irrigation, Sub-Division, Patoda,
Tal. Patoda, Dist. Beed.
- ... Appellants
(Org. Respondents)

Versus

Raghunath Asraji Arsul,
Age : Major, Occu. Agriculture,
R/o. Sakshal Pimpri, Tq. & Dist. Beed.

... Respondent
(Org. Claimant)

...

Ms. M. L. Sangit, APP for Appellants;
Mr. Vinayak H. Solanke h/f. Mr. S. K. Naikwade, Advocate for
Respondent.

...

CORAM : NEERAJ P DHOTE, J.

DATE : 1st DECEMBER, 2025

PC.:-

1. These are the First Appeals under Section 54 of the Land Acquisition Act (for short "LA Act") filed by the State against the common judgment and award/order dated 21.01.2012 in a group of Land References arising out of the land acquisition for construction of a canal under the "Narayangad Minor Irrigation Project at Poundul", Taluka Shirur (Kasar), District Beed and Sakshal Pimpri, Taluka and District Beed, under Award No.LAQ/SR/41/96 dated 23.01.2001.

2. Since the impugned judgment and order/award passed by

the learned Reference Court was based on the judgment passed in LAR No.581 of 2006 and LAR No.728 of 2006 in respect of the acquisition for the said Narayangad Minor Irrigation Project, on 03.04.2025, it was submitted by the learned AGP that, the said decision of learned Reference Court in LAR No.581 of 2006 was required to be verified as to whether it was challenged or not. The order dated 09.04.2025 shows that, learned AGP on instructions from the concerned officer of the State had submitted that, no appeals were preferred against the judgment and order/award in the LAR No.581 of 2006.

3. Today, learned AGP appearing for the Appellant states that, she has taken instructions from the concerned officer and it is now confirmed that the State has not challenged the judgment and order/award in LAR No.581 of 2006. She submits that, in view of this undisputed position, the present Appeals can be disposed of accordingly.

4. Mr. Vinayak H. Solanke holding for Mr. S. K. Naikwade, learned Advocate appears for the Claimants.

5. Paragraph Nos.24 and 25 from the impugned judgment and order/award under challenge are reproduced below:-

“24] In the present reference petitions, the petitioners are relied on the judgments passed in L.A.R.No.581/2006 and

728/2006. After going through those judgments, it reveals that, the references were made in award No.LAQ/SR/132/97 and the lands were acquired for the Narayangad Project. The present references are for the enhanced compensation for the lands acquired for the Narayangad Minor Irrigation Project. At this juncture, I would like to make a reference of a case *Pal Sing Vs. Union Territory of Chandigarh* reported in AIR 1993 SC 225. It is held by the Hon'ble Apex Court that, no doubt, a judgment of a Court in a land acquisition case determining the market value of land in the vicinity of acquired lands, even though not interparties, could be admitted in evidence either as an instance or one from which the market value of the acquired land could be deduced or inferred. Considering the ratio laid down in the cited case, I am of view that, the judgment in L.A.R.No.581/2006 and 728/2006 can be considered for determining the the market price of acquired lands. In both the reference petitions, the reference Court has awarded the compensation at the rate of Rs.1250/ per R for jirayat land and Rs.1500/ per R for seasonally irrigated lands. After considering the oral and documentary evidence on record and the compensation awarded by the reference court in L.A.R.No.581/2006 and 728/2006, I fix the market price of acquired lands at the rate of Rs.1250/ per R for jirayat land and Rs.1500/ per R for seasonally irrigated lands. Which is just, fair and adequate.

25] In L.A.R.Nos.148/2008 and 151/2008 the petitioners are entitled to get enhanced compensation at the rate of Rs.625/ per R for Potkharab land.”

6. In view of the above admitted position that, the judgment in the said LAR No.581 of 2006, enhancing the rate to Rs.1,500/- per R for Seasonally Irrigated Land, Rs.1,250/- per R for Jirayat land and Rs.625 per R for Potkharab land is accepted by the State, the Appeals stand disposed of as dismissed. The record and proceedings received from the Reference Court be sent back.

(NEERAJ P. DHOTE, J.)