



[This order is corrected pursuant to speaking to the minutes order dated 22.08.2025]

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

89 FIRST APPEAL NO. 2431 OF 2014

THE STATE OF MAHARASHTRA AND ANR

VERSUS

TULSHIRAM GOVIND DADGE

AND

FIRST APPEAL NO. 2416 OF 2014

THE STATE OF MAHARASHTRA AND ANR

VERSUS

HARIBA NARSING SHARWALE DIED TH LRS SMT RATNABAI HARIBA SHARWALE

AND

FIRST APPEAL NO. 2433 OF 2014

THE STATE OF MAHARASHTRA AND ANR

VERSUS

HARI VENKATRAO BIRADAR AND ANR

AND

FIRST APPEAL NO. 2430 OF 2014

THE STATE OF MAHARASHTRA AND ANR

VERSUS

VITHAL BAPURAO MALGE

AND

FIRST APPEAL NO. 2426 OF 2014

THE STATE OF MAHARASHTRA AND ANR

VERSUS

YENKA DEORAO BIRADAR

AND

CIVIL APPLICATION NO. 14180 OF 2023 IN FA/2415/2014

BHAGWAN VENKATRAO BIRADAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14157 OF 2023 IN FA/2427/2014

DATTAJI BAJIRAO SHERWALE (DIED) LRS LAXMIBAI DATTAJI SHERWALE AND ANR

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14185 OF 2023 IN FA/2438/2014

GOVIND MAROTI BIRADAR (BOBDE) AND ANR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14155 OF 2023 IN FA/2436/2014
HARI VENKATRAO BIRADAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14154 OF 2023 IN FA/2431/2014
TULSHIRAM GOVIND DADGE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14182 OF 2023 IN FA/2418/2014
GUNWANT BHIMRAO HONALE AND ANR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14170 OF 2023 IN FA/2429/2014
BANKAT VITHAL BIRADAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14181 OF 2023 IN FA/2417/2014
MANOHAR BIJIRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14179 OF 2023 IN FA/2437/2014
SUMAN MARUTI PATIL (YENKIKAR) (DIED) THR LRS. RAMESH MARUTIRAO PATIL AND
ANR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14152 OF 2023 IN FA/2428/2014
SAMBHAJI VITHALRAO BIRADAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND
CIVIL APPLICATION NO. 14163 OF 2023 IN FA/2423/2014

TUKARAM RAJARAM HALANE (DIED) THR LRS. GOVIND TUKARAM HALANE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14153 OF 2023 IN FA/2432/2014
NARAYAN MADHAVRAO MUNJEWAR (DIED) THR LRS JEEJABAI NARAYAN MUNJEWAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14165 OF 2023 IN FA/2424/2014
GOVIND RAMCHANDRA PATIL
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14173 OF 2023 IN FA/2434/2014
GITABAI MARUTI BIRADAR (BOBADE) DIED THR LRS. GOVIND MARUTI BIRADAR
(BOBADE) AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14171 OF 2023 IN FA/2434/2014
GITABAI MARUTI BIRADAR (BOBADE) DIED THR LRS. GOVIND MARUTI BIRADAR
(BOBADE) AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14158 OF 2023 IN FA/2425/2014
SHEWANTABAI DAULATRAO MUNJEWAR (DIED) LRS SHREERANG D. MUNJEWAR (DIED)
THR LRS. MADHAV AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14183 OF 2023 IN FA/2422/2014
VITHAL GUNDAJI DADGE (DIED) THR LRS. SUMITRABAI VITHALRAO DADGE AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14177 OF 2023 IN FA/2435/2014
JEEVAN SUDAMRAO BIRADAR (DIED) THR LRS. SATYABHAMABAI JEEVAN BIRADAR AND
ORS
VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14166 OF 2023 IN FA/2421/2014

CHANDRABHAGABAI HANMANTRAO KINE (DIED) LRS VITHAL HANMANTRAO KINE AND
ORS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14178 OF 2023 IN FA/2435/2014

JEEVAN SUDAMRAO BIRADAR (DIED) THR LRS. SATYABHAMABAI JEEVAN BIRADAR AND
ORS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14159 OF 2023 IN FA/2425/2014

SHEWANTABAI DAULATRAO MUNJEWAR (DIED) LRS SHREERANG D. MUNJEWAR (DIED)
THR LRS. MADHAV AND ORS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14184 OF 2023 IN FA/2422/2014

VITHAL GUNDAJI DADGE (DIED) THR LRS. SUMITRABAI VITHALRAO DADGE AND ORS
VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14160 OF 2023 IN FA/2439/2014

BAJIRAO MARUTI BIRADAR (DIED) THR LRS. PARVATIBAI BAJIRAO BIRADAR AND ORS
VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14161 OF 2023 IN FA/2439/2014

BAJIRAO MARUTI BIRADAR (DIED) THR LRS. PARVATIBAI BAJIRAO BIRADAR AND ORS
VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND

CIVIL APPLICATION NO. 14169 OF 2023 IN FA/2419/2014

YADAVRAO HANUMANTRAO BIRADAR (DIED) THR LRS. MAROTI YADAVRAO BIRADAR
AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

AND**CIVIL APPLICATION NO. 14168 OF 2023 IN FA/2419/2014**YADAVRAO HANUMANTRAO BIRADAR (DIED) THR LRS. MAROTI YADAVRAO BIRADAR
AND ORSVERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

WITH**CIVIL APPLICATION NO. 14167 OF 2023 IN FA/2421/2014**CHANDRABHAGABAI HANMANTRAO KINE (DIED) LRS VITHAL HANMANTRAO KINE AND
ORSVERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR AND ORS

WITH**FIRST APPEAL NO. 2420 OF 2014**

THE STATE OF MAHARASHTRA AND ANR. VS. YENKATRAO RAMCHANDRA PATIL

Mr. R.B. Dhaware, AGP for the appellant-State.

Mr. S.S. Manale, Advocate for the respondents-claimants.

CORAM : KISHORE C. SANT, J.**DATE : 05.08.2025****PC :-**

01. Heard. These appeals are filed by the State challenging common judgment and award dated 13.04.2006, passed by the learned the Adhoc Additional District Judge, Udgir, Dist. Latur, in LAR Nos. 2758 of 2001 with connected matters. These appeals are arising out of same acquisition proceeding. Therefore, same are taken up together and are being disposed off.

02. The lands of the respondents-claimants came to be acquired

for Minor Irrigation Tank, Bhopni. Notification under section 4 of the Land Acquisition Act in respect of land acquisition was issued on 04.03.1993. The particulars of the proceedings, compensations awarded by the learned Special Land Acquisition Officer and the learned Reference Court are as under :-

Sr.No	First Appeal No.	LAR No.	Award by SLAO Rs. per R	Award by Ref. Court Rs. per R
1	2431/2014	2746/2001	390/-	1388/-
2	2438/2014	2752/2001	390/-	1388/-
3	2432/2014	2756/2001	390/-	1388/-
4	2436/2014	2751/2001	390/-	1388/-
5	2423/2014	2742/2001	390/-	1388/-
6	2426/2014	2760/2001	390/-	1388/-
7	2421/2014	2747/2001	390/-	1388/-
8	2416/2014	2743/2001	390/-	1388/-
9	2418/2014	2765/2001	390/-	1388/-
10	2433/2014	2744/2001	390/-	1388/-
11	2435/2014	2753/2001	390/-	1388/-
12	2424/2014	2766/2001	390/-	1388/-
13	2430/2014	2757/2001	390/-	1388/-
14	2422/2014	2758/2001	390/-	1388/-
15	2420/2014	2748/2001	390/-	1388/-
16	2415/2014	2750/2001	390/-	1388/-
17	2437/2014	2761/2001	390/-	1388/-
18	2434/2014	2754/2001	390/-	1388/-
19	2419/2014	2749/2001	390/-	1388/-
20	2417/2014	2764/2001	390/-	1388/-
21	2425/2014	2745/2001	390/-	1388/-
22	2428/2014	2755/2001	390/-	1388/-
23	2427/2014	2759/2001	390/-	1388/-
24	2439/2014	2762/2001	390/-	1388/-
25	2429/2014	2763/2001	390/-	1388/-

03. The Government of Maharashtra vide Government Resolution

dated 03.11.2016 and Corrigendum dated 23.02.2017, took a decision to settle the appeals by accepting the market rates determined by the Reference Court, which are within parameters set out in the Government Resolution. In the present appeals, the compensation awarded by the learned Reference Court is within four times the compensation awarded by the learned Special Land Acquisition Officer. The learned AGP also could not point out any illegality or perversity in the impugned judgment and award. No purpose would be served by keeping the appeals pending.

04. Therefore, the First Appeals are disposed off.

05. So far as Civil Applications for withdrawal/transfer of amount are concerned, the balance amount of compensation deposited by the Acquiring Body in this Court shall be transferred to the concerned Reference Court, along with accrued interest. The claimants shall be entitled to withdraw the amount of compensation along with accrued interest from the Reference Court. The Civil Applications filed for withdrawal/transfer of amount are disposed off accordingly.

06. So far as Civil Applications for bringing on record legal

representatives of deceased respondent-claimants are concerned, for the reasons stated in the Civil Applications, the Civil Applications are allowed. Delay caused in filing the Civil Applications is condoned. The legal representatives of the deceased claimants-respondent be brought on record. Necessary amendment in the Civil Applications and the First Appeals be carried out within two weeks.

07. Pending Civil Applications, if any, stand disposed off.

[KISHORE C. SANT, J.]