



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

45 FIRST APPEAL NO. 4280 OF 2022

DASHRATH PARAJI KHOSE (DIED) THR LRS TRIMBAK AND
ORS

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Appellants : Mr. Koralkar Arun H.

AGP for Respondent/s-State : Mrs. M. N. Ghanekar.

Advocate for Respondent No.3 : Mr. Amol Chate h/f Mr.
Shrimant Munde.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 16.12.2025

FINAL ORDER :-

1. Heard both sides finally with their consent.
2. Appellants are challenging the judgment and award passed by the Reference Court in LAR.No.849 of 2010. The issue involved is no more res-integra. The SLAO awarded rate of Rs.800/- per R. which is enhanced to Rs.2500/- per R. but without the escalation which is the grievance of the appellants. This Court has taken consistent view that the appellants are entitled to escalations in view of the judgment of Supreme Court in case of *Huchanagouda Vs. The Assistant Commissioner and Land Acquisition Officer and others ; (2020) 19 SCC 236*, for the purpose of Nimna Dhudhna

Project, this Court considered rate of Rs.2500/- per R. for the lands acquired from village Satona as a Bench Mark and accordingly awarded the compensation granting escalation of 10% per annum.

3. Learned counsel for the acquiring body opposes the submissions.

4. In the present case also land is dry land and acquired from village Rohina, Taluka Partur, District Jalna. Appellants are entitled to have escalation of 10% per annum for four years.

5. Considering the escalation, appellant are entitled to Rs.3660/- per R. I, therefore, pass the following order :

ORDER

- (i) First appeal is allowed partly.
- (ii) The appellants are entitled to receive rate of Rs.3660/- per R.
- (iii) Appellants are entitled to have the rate of interest as per the judgment of Full Bench in case of ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***,.

- (iv) Save and except above modification. Rest of the impugned judgment and award shall stand confirmed.
- (v) Appellants shall pay deficit court fees, if any.
- (vi) Record and proceeding shall sent back to the concerned Court.
- (vii) The appellants shall not be entitled to interest and statutory benefits for the delayed period.

(SHAILESH P. BRAHME, J.)

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vmk/-