



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 FIRST APPEAL NO. 783 OF 2023

VAIJINATH RANGHNATH MANWATKAR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Mr. A. B. Kale, Advocate for the Appellant
Mr. S. N. Kendre, AGP for the Respondent/State
Mr. D. B. Pawar, Advocate for Respondent NO.3.

CORAM : R. M. JOSHI, J.
DATE : 11th AUGUST, 2025

PER COURT :-

1. By consent of both sides heard finally at the stage of admission.
2. Learned Counsel for the Appellant/original claimant submits that the Reference Court has recorded findings that in the land acquired of the present claimant, seasonal crops are cultivated. Thus, according to him indicates that the claimant would be at least entitled to receive compensation of Rs.3,750/- per *Are*. It is his contention that after recording the said findings, the Reference Court has committed error in granting compensation at the rate of Rs. 2,500/- applicable to the dry land. To support his submission, he has placed reliance on the order of this Court dated 4th April, 2022 passed in First Appeal No. 1141/2018 and

also the order passed by the Reference Court in connected proceeding, wherein is held that for a seasonable cultivated land fixed at the rate of Rs.3,750/-. He therefore, seeks enhancement of the compensation accordingly.

3. Learned Counsel for the Acquiring Body does not dispute the said fact on the contrary he has pointed out that in connected proceedings the settlement has been arrived at between the parties, wherein in the similarly placed lands compensation was granted at the rate of Rs.3,750/- per *Are*.

4. In view of the above, claimant has made out a case for enchantment of the compensation from Rs,2500/- per *Are* to Rs.3,750/- per *Are* to the extent of land admeasuring 4 H 89 *Are*. In so far as the compensation granted for *potkaharaba* of 30 *Are* land from the Gut No. 53 stands confirmed. Rest of order is confirmed.

(R. M. JOSHI, J.)

ssp