



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

43 FIRST APPEAL NO. 2079 OF 2023

VENKAT NAMDEO SURAYWANSHI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

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Advocate for Appellants : Ms. L. R. Thakur h/f Mr. Patil
Laxmikant C.

AGP for Respondent/s-State : Mr. N. R. Dayma.

Advocate for Respondent No.3 : Ms. Vijaya N. Bharkad h/f Mr.
Narwade Vinayak P

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CORAM : SHAILESH P. BRAHME, J.
DATE : 18.12.2025

FINAL ORDER:-

1. Heard both sides finally with their consent.
2. Being aggrieved by judgment and order dated 07.12.2018 passed in LAR.No.140 of 2008, present appeal is filed for enhancement of compensation.
3. The land of the appellants measuring 2.H. 84 R. from Block Nos.332-A, 332-B and 332-C have been acquired from village Bhaswadi (Itgyal), Taluka Mukhed, District Nanded for lendy project. The notification was issued on 27.04.2000. The award under Section 11 was passed on 26.09.2007. The SLAO awarded compensation of Rs.8,89,401/- in aggregate for land, trees and well. The Reference Court enhanced it by 40% by

the impugned judgment. The appellant is claiming enhancement by 70%.

4. Reliance is placed on common judgment dated 12.12.2025 passed in First Appeal No.257 of 2023 with connected matters. Those were the matters in respect of acquisition of lands from self-same project from village Bhingoli, Taluka Mukhed, District Nanded. This Court enhanced the compensation by 70%. It has been specifically recorded that cluster of villages is affected because of the project in question and the lands from the various villages including Bhaswadi are acquired. On the ground of parity, appellant is also entitled to have the same rate and enhancement in compensation. I, therefore, pass following order :

ORDER

- (i) First appeal is allowed partly.
- (ii) The compensation granted by the Reference court shall stand enhanced to further 70%.
- (iii) Save and except above modification. Rest of the award under challenge shall stand unaltered.
- (iv) The appellants shall have entitled to interest under Section 28 and 34 from the date of award as per law laid down by Full Bench in case of *State of*

Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141].

- (v) The appellants shall not be entitled to interest and statutory benefits for the delayed period.
- (vi) The appellants shall pay deficit court fees, if any.
- (vii) Award be drawn accordingly.
- (viii) Record and proceeding be sent back to the concerned Court.

(SHAILESH P. BRAHME, J.)

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vmk/-