IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 FIRST APPEAL NO. 4239 OF 2022
WITH
CIVIL APPLICATION NO. 13450 OF 2025

Ganpat Bhika Kharat .. Appellant
Versus
The State of Maharashtra, through
Collector Jalna and others .. Respondents

AND
53 FIRST APPEAL NO. 2334 OF 2022
WITH
CIVIL APPLICATION NO. 13534 OF 2025

Sakharam Madhav Kharat and others .. Appellants
Versus
The State of Maharashtra, through
Collector Jalna and others .. Respondents

AND
54 FIRST APPEAL NO. 2338 OF 2022
WITH
CIVIL APPLICATION NO. 13535 OF 2025

Maroti Bhika Kharat .. Appellant
Versus
The State of Maharashtra, through
Collector Jalna and others .. Respondents

AND
56 FIRST APPEAL NO. 2323 OF 2022
WITH
CIVIL APPLICATION NO. 13550 OF 2025

Gautam Trimbak Ragde and others .. Appellants
Versus
The State of Maharashtra, through

Collector Jalna and others .. Respondents

Shri Vilas M. Humbe, Advocate for the Appellant in all matters.
Shri N. R. Dayma and Mrs. M. N. Ghanekar, A.G.P. for the Respondent Nos. 1 and 2 in respective matters.
Shri G. S. Khaire, Advocate h/f Shri S. S. Dande, Advocate for the Respondent No. 3 in all matters.

CORAM : SHAILESH P. BRAHME, J.
DATE : 11TH DECEMBER, 2025.

FINAL ORDER :

. Heard both sides with consent of the parties at the admission stage.

2. Appellants are aggrieved by the judgments and award dated 23.01.2015, 20.07.2015, 17.08.2013 and 16.09.2013 passed by the Reference Court in various reference petitions. Appellants were granted compensation for the lands only ignoring the claim for compensation for trees. They are aspiring to rely on certain documents for which civil applications are filed for additional evidence.

3. Learned counsel for the acquiring body submits that the documents are not relevant and the Reference Court has passed impugned judgments and award considering the material placed on record.

4. Appellants names are appearing in the joint measurement report. Trees are also shown to have been existing in their lands.

The documents produced along with applications which are sough to be considered have bearing over the merits of the matters. I find it appropriate to relegate the matters to the Reference Court for the fact finding process based upon the documents which were not before the Reference Court on earlier occasion.

5. I, therefore, pass following order.

O R D E R

A. All first appeals are allowed partly.

B. Impugned judgments and award are quashed and set aside and the matters are relegated to the Reference Court to decide them afresh on their own merits and by considering the additional evidence which is sought to be produced.

C. Parties shall appear before the Reference Court on 03.01.2026.

D. Reference Court shall decide the matters expeditiously.

F. The civil applications for production of documents also stand disposed of.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25