



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 1158 OF 2015

Lahorimal Jethanand through his Constitued
Attorney Shri. Shyamlal Hariram Chandnani ...Appellant

Versus

The Special Land Acqisition
Officer, NSPT-IV, Uran ...Respondent

WITH

FIRST APPEAL NO. 1159 OF 2015

Lahorimal Jethanand through his Constitued
Attorney Shri. Shyamlal Hariram Chandnani ...Appellant

Versus

The Special Land Acqisition
Officer, NSPT-IV, Uran and Another ...Respondents

WITH

FIRST APPEAL NO. 1160 OF 2015

Lahorimal Jethanand through his Constitued
Attorney Shri. Shyamlal Hariram Chandnani ...Appellant

Versus

The Special Land Acqisition
Officer, NSPT-IV, Uran and Another ...Respondents

WITH

FIRST APPEAL NO. 1715 OF 2024

Lahorimal Jethanand through his Constitued
Attorney Shri. Shyamlal Hariram Chandnani ...Appellant

Versus

The Special Land Acquisition
Officer

...Respondent

*Mr. Shriram Kulkarni i/b Ms. Pranjal Khatavkar for the Appellant.
Mr. Mayur Sonavane, AGP for State.*

Coram : Sharmila U. Deshmukh, J.

Date : 24th March, 2025.

P.C. :

1. This group of First Appeals challenge the judgment and Award passed by the Reference Court under Section 18 of the Land Acquisition Act, 1894 being dis-satisfied by award of compensation of Rs. 20/- per sq. metre for the acquired lands. The lands in all these Appeals were acquired for the Navi Mumbai project by notification dated 3rd February, 1970.

2. Learned counsel appearing for Appellant would tender judgment of Co-ordinate Bench of this Court dated 28th February, 2023 passed in Appeals arising out of same notification and in respect of lands acquired from the same village. He would point out Paragraph No. 7 of the said judgment which notes that in pursuance of the order passed by Lok Adalat, a joint meeting was held by the Committee constituted by the Apex Court and the Committee decided rate of Rs. 23/- per sq. metre for village – Owe, Taluka – Panvel, District – Raigad.

3. In view of the said judgment dated 28th February, 2023, learned counsel appearing for Appellant submits that in all these Appeals, rate of Rs. 23/- per sq. metre is required to be granted.
4. Mr. Sonavane, learned AGP does not dispute the said position.
5. The judgment dated 28th February, 2023 of Co-ordinate Bench refers to the decision taken by the Committee to award compensation of Rs. 23/- per sq. metre for village Owe. The acquisition was for the same purpose in respect of land acquired from the same village and arises out of the same notification as in the present case. In view of the market value having been determined at the rate of Rs. 23/- per sq. metre for Village - Owe, the Claimants in the present Appeals are also entitled to the same rate of compensation. As such, Clause 1 of the impugned Award passed in each of the above Appeals is modified to read as under:-

“Market value of the lands under Section 23(1) of the Land Acquisition Act to be Rs. 23/- per sq. metre.”

6. Rest of the award remains undisturbed.
7. The Special Land Acquisition Officer shall take steps to deposit the amount calculated as per the modified Awards within three months after the account details are furnished by the Claimants.
8. First Appeal stands allowed to the above extent.

9. In view of above, nothing survives for consideration in pending Interim/Civil Applications, if any, and the same stand disposed of.

[Sharmila U. Deshmukh, J.]