IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

7 FIRST APPEAL NO. 3753 OF 2017

The Executive Engineer Amalner, Tq. Amalner, Dist. Jalgaon
VERSUS
Chandanbai Raghunath Patil (Died) Through Her L.Rs. Rajendra And Others

AND
FIRST APPEAL NO. 3754 OF 2017

The Executive Engineer, Amalner
VERSUS
Latkanbai Chindha Chaudhari And Another

AND
FIRST APPEAL NO. 3755 OF 2017

The Executive Engineer, Amalner
VERSUS
Ashabai Hiralal Chaudhari And Another

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Mr. A.D. Pawar, Advocate for Appellant-Acquiring Body
Mr. V.B. Patil, Advocate for Respondents-Claimants
Mr. S.S. Dande, AGP for Respondent No.2-State

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 06 OCTOBER, 2026

PER COURT :

1. Heard learned counsel for the respective parties.

2. By these appeals, the appellants/Acquiring Body assail the common Judgment and Award dated 01.07.2013 passed by the learned Civil Judge, Senior Division, Amalner, in Land Acquisition Reference Nos.204 of 2002, 208 of 2002 and 205 of 2002, whereby the learned Reference Court enhanced the compensation payable to the claimants along with the statutory benefits.

3. The lands belonging to the respective claimants, admeasuring 1 Hectare 04 R from Gut No.40/A, 1 Hectare 20 R from Gut No.30 and 2 Hectares 03 R from Gut No.32, situated at Village Kalamsare, Taluka Amalner, District Jalgaon, were acquired for the purpose of rehabilitation of Village Padalse. The notification under Section 4 of the Land Acquisition Act, 1894, came to be published on 29.02.2000. The Special Land Acquisition Officer (SLAO) passed the award on 19.02.2001 and determined the amount of compensation payable to the claimants at the rate of Rs.1,34,600/- per Hectare. The claimants received the said amount under protest and sought references under Section 18 of the said Act, contending that the compensation awarded by the SLAO was inadequate.

4. Before the learned Reference Court, the claimants relied upon three sale instances dated 01.12.1997, 01.03.2000 and 16.02.2000, pertaining to Village Kalamsare. The learned Reference Court relied upon the sale instance dated 16.02.2000, under which 40 R land was sold for a consideration of Rs.1,60,000/-, which worked out to Rs.4,00,000/- per Hectare. After considering the relevant comparative factors and the plus and minus factors, the learned Reference Court determined the market value of the acquired Bagayat land at the rate of Rs.6,00,000/- per Hectare and the market value of the Potkharab land at the rate of Rs.1,50,000/- per Hectare and, on that basis, granted enhanced compensation to the claimants along with the statutory benefits.

5. This Court finds that the learned Reference Court has determined the market value on the basis of the sale instance and relevant comparative factors. The market value so determined and the consequential enhancement in compensation is are just, proper and reasonable and cannot be said to be excessive or exorbitant so as to warrant interference by this Court. The appeals, therefore, deserve to be dismissed.

6. The First Appeals are dismissed.

7. Pending Civil Applications, if any, stand disposed of accordingly.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane