IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 FIRST APPEAL NO. 301 OF 2008

SANTUKA SUBHAJI DHINDE.
VERSUS
THE STATE OF MAHARASHTRA.
...
Advocate for Appellant : Mr. M.M. Patil (Beedkar)
AGP for Respondent/State : Mr. S.N. Morampalle
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
Dated : October 27, 2026

PER COURT :-

1. Heard the learned counsel for the respective parties.

2. The present appeal arises out of the Judgment and Award dated 30.7.1994 passed by the learned 3rd Jt. Civil Judge, Senior Division, Nanded in LAR No. 159/1993.

3. The land of the appellant/claimant situated at village Andga, Tq. Kandhar, District Nanded was acquired for Manar Project, Limboti by issuing notification under section 4 of the Land Acquisition Act on 6.6.1990.

4. The learned counsel for the appellant/claimant has tendered across the Bar a copy of the judgment and order dated 18.7.2026 passed by this Court in FA No. 1427/2007 (Ginandeo Bhimrao Surnar Vs. The State of Maharashtra Thr. Collector, Nanded). He submits that the land of the appellant was acquired from the same village, for the same public purpose, and under the very same notification as involved in the aforesaid appeal. It is, therefore, contended that the controversy involved in the present appeal is squarely covered by the judgment and order in FA No. 1427/2007 (supra) and consequently, the present appeal deserves to be disposed of in terms

thereof. The learned A.G.P. appearing for respondent/State fairly concedes the aforesaid position.

5. Having considered the submissions advanced by the learned counsel for the respective parties, and in view of the admitted position that the controversy involved in the present appeal is identical to the one decided by this Court in FA No. 1427/2007 (supra), I see no reason to take a different view. The present appeal, therefore, deserves to be disposed of in terms of the said judgment and order. Hence, the following order:

O R D E R

I. The First Appeal is partly allowed .

II. The impugned Judgment and Award is modified.

III. The market value of the acquired land is enhanced from Rs.46,000/- (Rupees Forty-six Thousand only) per Hectare to Rs.52,000/- (Rupees Fifty-two Thousand only) per Hectare .

IV. The claimant shall be entitled to all consequential statutory benefits on the enhanced compensation in accordance with the provisions of the Land Acquisition Act, 1894.

V. The claimant shall be entitled to interest under Section 34 of the Act, strictly in accordance with the Full Bench decision in **State of Maharashtra vs. Kailas Shiva Rangari, Rangari, 2016 (4) Mh.L.J. 457**.

VI. Rest of the award is maintained.

VII. Claimant to pay deficit court fees, if any, on enhanced amount.

VIII. Civil Applications, if any, stands disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/