IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 FIRST APPEAL NO. 154 OF 2016

DAMU KONDIBA HINGE DIED THR HIS LRS MAHADEO DAMU HINGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
...
Advocate for Appellant : Mr. R.T. Deshmukh
AGP for Respondents/State : Mr. A.M. Phule
...
WITH
FIRST APPEAL NO. 157 OF 2016
WITH
FIRST APPEAL NO. 155 OF 2016
WITH
FIRST APPEAL NO. 156 OF 2016
...

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

PER COURT :-

1. As the acquisition proceedings are initiated in the year 1998, heard finally with the consent of the learned counsel for the respective parties.

2. By these appeals, the appellants/original claimants assails the judgment and award dated 13.4.2006 passed by the learned III Ad-hoc Additional District Judge, Beed in LAR Nos. 161/2006, 160/2006, 163/2006 and 189/2006.

3. The lands of the claimants situated at village Ukhanda-Chakala, Taluka Shirur, District Beed were acquired for Minor Irrigation Tank at Ukhanda-Chalka, Taluka Shirur, District Beed by issuing section 4 notification on 27.2.1998 and award came to be declared on 29.2.2000.

4. Mr. R.T. Deshmukh, learned counsel for the appellants/original claimants and Mr. Korde, learned AGP for State submit that this Court has already decided FA No. 145/2016 (Ramnath Shankar Dhamne Vs. The State

of Maharashtra and Anr.) with other connected matters on 15.10.2026, which arises out of the same project, from the same notification and the lands involved are also from the same village as involved in the present appeals. They submit that this Court has allowed the appeals filed by the original claimants and granted rate of Rs.2000/- per R. It is, therefore, contended that the controversy involved in the present matters is squarely covered by the judgment and order in FA No. 145/2016 (supra) and consequently, the present matters deserve to be disposed of in terms thereof.

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. 145/2016 (supra), I see no reason to take a different view. The present matters, therefore, deserve to be disposed of in terms of the said judgment and order. Hence, the following order:

ORDER

I. The First Appeals are partly allowed.

II. The appellants/claimants shall be entitled to compensation at the rate of Rs.2,000/- per Are for their acquired Jirayat land. To that extent, the impugned judgment and award stand modified.

III. The appellants/claimants shall be entitled to all consequential statutory benefits on the enhanced amount of compensation, in accordance with the provisions of the Land Acquisition Act, 1894.

IV. The appellants/claimants shall be entitled to interest under Sections 28 and 34 of the Land Acquisition Act, 1894, strictly in accordance with the judgment of the Full Bench of this Court in State of Maharashtra v. Kailash

Shiva Rangari, 2016 (3) Mh.L.J. 457 from the date of award.

V. Save and except the aforesaid modification, the judgment and award passed by the learned Reference Court shall remain unaltered.

VI. The modified award be drawn accordingly.

VII. The claimants shall pay the deficit court fee, if any.

VIII. Pending Civil Applications, if any, stand disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/