IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 FIRST APPEAL NO. 952 OF 2007

The State Of Maharashtra.
VERSUS
Bapu Bhivsan Patil (Died) Through L.Rs. Narayan And Others

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Mr. S.N. Morampalle, AGP for Appellant-State,
Mr. H.B. Nandgavale, Advocate h/f Mr. V.G. Sakolkar, Advocate for Respondents-Claimants.

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 23 OCTOBER, 2026

PER COURT :

1. Heard the learned counsel for the respective parties.

2. By this appeal, the appellant-State challenges the impugned Judgment and Award dated 10.12.1993 passed by the learned Civil Judge, Senior Division, Jalgaon, in Land Acquisition Reference No.31 of 1989, whereby the learned Reference Court enhanced the compensation payable to the respondents-claimants.

3. The land belonging to the respondents-claimants, admeasuring 1 hectare and forming part of Gat No.58, situated at village Vadgaon Bk., Taluka Pachora, District Jalgaon, was acquired for the Bahula Project. The notification under Section 4 of the Land Acquisition Act, 1894 (for short, “the Act”) was published on 19.12.1981. The Special Land Acquisition Officer (for short, “the SLAO”) passed the award and determined the compensation at Rs.16,405/-. Being dissatisfied with the compensation awarded, the respondents-claimants accepted the amount under protest and

sought a reference under Section 18 of the Act, contending that the compensation determined by the SLAO was inadequate.

4. Before the learned Reference Court, the claimants relied upon the sale instance at Exhibit 22. The said sale instance pertains to the year 1977 and relates to land situated in the same village, admeasuring 21 R, which was sold for a consideration of Rs.17,000/-. Relying upon the said sale instance, the learned Reference Court determined the market value at the rate of Rs.62,000/- per hectare for Jirayat land.

5. Having considered the evidence on record, particularly the sale instance at Exhibit 22, I find no reason to interfere with the impugned Judgment and Award. The appellant-State has not demonstrated any perversity or error in the appreciation of the evidence or in the determination of compensation by the learned Reference Court so as to warrant interference by this Court. The compensation awarded by the learned Reference Court cannot be said to be excessive or exorbitant. No ground is, therefore, made out for interference with the impugned Judgment and Award. Hence, the appeal deserves to be dismissed.

6. The First Appeal is dismissed.

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

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane