IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
15 X-OBJECTION NO. 224 OF 2026
IN FA/746/2013

Nanasaheb Barku Patil
VERSUS
Executive Engineer, Medium Project, Div. No. 1 Dhule And Another

WITH
CIVIL APPLICATION NO. 7441 OF 2012
IN FA/746/2013

Executive Engineer, Medium Project, Div. No. 1 Dhule
VERSUS
Nanasaheb Barku Patil And Anr

WITH
FIRST APPEAL NO. 746 OF 2013

Executive Engineer, Medium Project, Div. No. 1 Dhule
VERSUS
Nanasaheb Barku Patil And Anr

AND
38 X-OBJECTION NO. 480 OF 2026
IN FA/1988/2012

Hiralal Ukha Patil And Anotlher
VERSUS
The Executive Engineer And Others

WITH
FIRST APPEAL NO. 1988 OF 2012

The Executive Engineer, Dhule Medium Project Division No.1
VERSUS
Hiralal Ukha Patil And Ors

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Mr. A. D. Pawar for the acquiring body.
Mr. K. M. More for the claimants.
Mr. B. A. Shinde, AGP for State in FA/746/2013.

...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 29 OCTOBER 2026

P. C.:

1. As the acquisition proceeding is of the year 1999, the Appeals are being heard finally with the consent of learned counsel for the respective parties.

2. By these Appeals, the acquiring body is assailing the judgments and awards dated 17th June 2009 and 29th November 2008, passed by the learned Reference Court in LAR Nos.526/2004 and 85/2003 whereby compensation came to be enhanced. The claimants have filed Cross Objections seeking higher compensation.

3. The land of the claimant from village Tamaswadi and Shivrimal, Tq. Saki, Dist. Dhule was acquired for Akkalpada Project. The notification under Section 4 of the Land Acquisition Act, 1894 (for short "the Act") was published on 9th December 1999 and award under Section 11 was passed on 10th April 2001.

4. Both the counsel submit that this Court in First Appeal No.1376 of 2013 decided on 2nd December 2013 arising out of same project, though from a different village, has confirmed the rate of Rs.1,00,000/- per hectare for Potkharab land, Rs.2,00,000/- per hectare for dry land, Rs.3,00,000/- per hectare for seasonally irrigated land and Rs.4,00,000/- for irrigated land. Thus, on the principle of parity, the present claimants are entitled to

receive the same rate. Hence, I pass the following order:-

O R D E R

i. The Appeals filed by the acquiring body are dismissed.

ii. The Cross Objections filed by the claimants are partly allowed.

iii. The claimants are entitled to receive compensation @Rs.2,00,000/- per hectare for dry land and Rs.3,00,000/- per hectare for seasonally irrigated land as per the categorization made by the learned Reference Court regarding nature of land.

iv. The claimants are entitled to all statutory benefits as per the provisions of the Land Acquisition Act, 1894 and interest under Sections 28 and 34, as the case may be, as per the law laid down by Full Bench of this Court in ***State of Maharashtra Vs. Kailash Shiva Rangari*** (2016(3) Mh.L.J. 457).

v. Rest of the award passed by the learned Reference Court remains unaltered.

vi. Modified award be drawn accordingly.

vii. Deficit Court fee be paid.

viii. The claimants shall not be entitled to claim statutory benefits and interest for the delayed period.

ix. Pending civil applications, if any, are also disposed of.

[SIDDHESHWAR S. THOMBRE, J.]