IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 FIRST APPEAL NO. 2423 OF 2020
(arising out of L.A.R.No.286 of 2011)

THE EX. ENGINEER, SINA KOLEGAON PROJECT PARANDA AND ORS
VERSUS
LATABAI VISHWANATH JAGTAP AND ANR

AND
FIRST APPEAL NO. 2424 OF 2020
(arising out of L.A.R.No.278 of 2011)

THE EX. ENGINEER, SINA KOLEGAON PROJECT PARANDA AND ORS
VERSUS
SATYABHAMA TUKARAM NALWADE AND ANR

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Mr. G. B. Rajale, Advocate for Appellants
Mr. Madhav K. Jadhav h/f. Mr. A. S. More, Advocate for Respondent Nos.1 and 2

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CORAM : AJIT B. KADETHANKAR, J.
DATED : 14th October 2026

P.C. :-

. Taking exception to the impugned judgment and award dated 16.02.2015 passed by the learned Civil Judge, Senior Division, Paranda in Land Acquisition Reference Nos.286 of 2011 (Old No.689 of 2000) and 278 of 2011 (Old No.688 of 2000), the acquiring body has filed respective First Appeals.

The subject matter lands were acquired by the acquiring body for “Sina Kolegaon Project” in file No.1994/LAQ/CR/42. Section 4 notification was published in Official Gazette on 02.05.1996 and Section 6 notification was published in Official Gazette on 05.02.1998. The award was passed on 28.02.2000. Feeling aggrieved by the deficit amount granted by the Special Land Acquisition Officer, the respondents/claimants have filed respective land acquisition references.

2. After hearing the parties, the Reference Court partly allowed the land acquisition references and granted enhancement in compensation holding the claimants entitled to compensation at the rate of Rs.90,000/- per Acre. As against this, the acquiring body is before this Court.

3. When the matter is taken up for hearing, Mr. G. B. Rajale, learned Advocate for the acquiring body, in all fairness, places before this Court a copy of order dated 12.08.2026 passed by this Court in group of appeals led by First Appeal No.281 of 2012. The said copy is taken on record and marked as Annexure “X” for identification. Mr. Rajale submits that the cited matters arise out of the same land

acquisition proceedings which are subject matter of the present appeals. He would further submit that in very identical circumstances, this Court dismissed the appeals filed by the same acquiring body. He submits that he himself has argued those matters before this Court in the said group of appeals. Thus, he fairly submits that on the backdrop of these facts, present appeals may also be disposed of, however by modifying the interest part.

4. I have gone through the text of the order dated 12.08.2026 passed by this Court. Having regard to the fact that the present appeals arise out of the same land acquisition proceedings, I have no reason to disagree with the view taken by this Court in First Appeal No.281 of 2012(supra), subject to modification of interest part. In view of this, present appeals deserve to be partly allowed.

5. Hence, I pass following order :

O R D E R

I. The First Appeals are partly allowed.

II. The judgment and award passed by the learned Reference Court stands maintained.

III. The amount deposited by the acquiring body is permitted to withdraw by the

respondents/claimants. Any security, if already given, stands discharged.

IV. The interest part shall be governed by the law laid down by the Full Bench judgment in the case of ***State of Maharashtra v. Kailash Shiva Rangari,*** reported in ***2016 (4) ALL MR 513***.

V. While disbursing the amount, the Registry shall calculate the interest part in view of ***Kailash Shiva Rangari*** (supra).

VI. The Acquiring body is entitled for refund of such amount if found excess deposited.

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

(AJIT B. KADETHANKAR, J.)

PRW