IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

259 FIRST APPEAL NO. 1488 OF 2016

THE SPECIAL LAND ACQUISITION OFFICER 1 JALGAON AND ANOTHER
VERSUS
ARJUN SUKDEO KOLHE
...

260 FIRST APPEAL NO. 1490 OF 2016

THE SPECIAL LAND ACQUISITION OFFICER 1 JALGAON AND ANOTHER
VERSUS
KAUTIK APPA PATIL
...
AGP for appellants/State : Mr. S.N. Morampalle & Mr. S.S. Dande in respective matters.
Advocate for Respondents/claimants : Mr. A.B. Kale
...

FIRST APPEAL NO. 859 OF 2012

KAUTIK APPA PATIL
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER (1) AND ANOTHER

...
Advocate for appellant : Mr. A.B. Kale
Advocate for Respondents/claimants : Mr. S.S. Dande
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
Dated : October 08, 2026

PER COURT :-

1. FA No. 859/2012 is not on board. Taken on board.

2. As the acquisition proceeding is of the year 1988, heard finally with the consent of learned counsel for respective parties.

3. By these appeals, the appellants/State assails the judgment and award dated 14.6.2011 passed by the learned Civil Judge, Senior Division, Jalgaon in LAR No. 1452/1998 and 1438/1998. In FA No. 859/2012 the original claimant challenges the judgment and award in FA No. 1438/1998.

4. Both the counsel have tendered across the Bar a copy of the judgment and order dated 4.8.2026 passed by this Court in FA No. 1232/2014 (The State of Maharashtra & Ors. Vs. Dwarkabai Bhagwat Savle & Ors) and other connected matters. They submit that the present matters can be disposed of in view of the above order whereby this Court has already enhanced the compensation which was in respect of Chalisgaon Ring road project. The present matters also pertains to the acquisition proceeding in respect the lands acquired for Chalisgaon Ring road project. It is, therefore, contended that the controversy involved in the present appeals is squarely covered by the judgment and order in FA No. 1232/2014 (supra), and consequently, the present appeals deserves 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 appeals is identical to the one decided by this Court in FA No. 1232/2014 (supra), I see no reason to take a different view. The present appeals, therefore, deserve to be disposed of in terms of the said judgment and order. Hence, the following order:

O R D E R

i) The First Appeals filed by the acquiring body and original claimants are partly allowed.

ii) The claimants are entitled to compensation at the rate of Rs.690/- per sq. mtr. for their acquired lands and to that extent impugned award stands modified.

iii) As regards interest under Sections 28 and 34 is concerned, the

claimants are entitled to receive the same from the date of the Award in view of the law laid down by the Full Bench in **State of Maharashtra v. Kailash Shiva Rangari, 2016 (3) Mh.L.J. 457.**

iv) The rest of the order passed by the learned Reference Court is maintained as it is.

v) Modified award be drawn accordingly.

vi) Deficit Court, if any, fee be paid.

vii) If the claimants have not received the rental compensation, the claimants are at liberty to file appropriate application before the Collector, Jalgaon and the Collector is directed to decide the said application and pay compensation accordingly as per the Government policy available for paying rental compensation within a period of 10 weeks from the date of receipt of the order.

viii) Pending Civil Applications, if any, stand disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/