IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

280 FIRST APPEAL NO. 4093 OF 2016

THE STATE OF MAHARASHTRA THR. COLLECTOR, LATUR AND ORS
VERSUS
SUNITA JANARDHAN KALE (PATIL)
...
AGP for appellants/State : Mr. D.R. Korde
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

281 FIRST APPEAL NO. 4094 OF 2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
SHIVABAI JANARDHAN YELAMPALLE DIED LRS MANOHAR JANARDHAN WALAMPALLE AND ORS
...
AGP for appellants/State : Mr. A.D. Wange
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

282 FIRST APPEAL NO. 4095 OF 2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
TULSHIRAM HARIBHAU BOMBADE
...
AGP for appellants/State : Mr. B.A. Shinde
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

283 FIRST APPEAL NO. 4096 OF 2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
SHANTABAI PANDHARI MAMADGE DIED LRS PANDHARI HARI MAMADGE
...
AGP for appellants/State : Mr. S.N. Morampalle
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

284 FIRST APPEAL NO. 4097 OF 2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
DHANAJI HARIBHAU BOMBADE
...
AGP for appellants/State : Mr. S.S. Dande

Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

285 FIRST APPEAL NO. 4098 OF 2016

THE STATE OF MAHRASHTRA ANDORS
VERSUS
HARIBHAU MALBA BOMBADE
...
AGP for appellants/State : Mr. A.M. Phule
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

286 FIRST APPEAL NO. 4099 OF 2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
BALAJI KISHANRAO ALURE
...
AGP for appellants/State : Mr. D.R. Korde
Advocate for Respondent : Mr. Pratik P. Gite h/f. Mr. S.P. Urgunde
...

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

PER COURT :-

1. As the acquisition proceeding is initiated in the year 2003, heard finally with the consent of learned counsel for respective parties.

2. By these appeals, the appellants/State assails the judgment and award dated 30.4.2009 passed by the learned Jt. Civil Judge, Senior Division, Latur in LAR Nos. 801/2006, 807/2006, 806/2006, 809/2006, 811/2006, 721/2006 and 810/2006.

3. The lands of the claimants situated at Talani (Mohagaon), Taluka Renapur, District Latur were acquired for the purpose of construction of percolation tank at Talani, Taluka Renapur, District Latur. Notification under section 4 of the Land Acquisition Act came to be published on 20.2.2003. Declaration under section 6 of the Act was issued on 8.8.2003. The Special

Land Acquisition Officer (SLAO) declared award and has granted very inadequate compensation. After accepting the amount under protest, the claimants sought references by contending that the SLAO has granted very meager compensation.

4. Before the reference court, the claimants relied upon 7/12 extracts, Exhs. 14 to 21, possession certificate, Exh. 22, the award along with E statement, Exh. 23, sale instance, Exh. 24, taluka map, Exh. 25 and village maps of village Murdhav and Talani, Exhs. 26 and 27. Only claimant stepped into the witnesses box and lead the evidence. The learned reference court relied upon the sale instance, Exh. 24, dated 30.11.2002 of village Murdhav by which 74 R. land was sold for consideration of Rs.2,32,000/-. The learned reference court has observed that the land involved in the sale instance was of higher quality than the lands acquired in the present cases, which were seasonally irrigated lands. There is no dispute about the fact that the lands from village Talani and Murdhav were acquired for above project. Therefore, the learned reference court has rightly relied upon the sale instance, Exh. 24. Even the 7/12 extracts pertains to the acquired land revealed that the claimants were taking Rabbi crops and there was entry of river in the 7/12 extract and therefore, considering the crop patter and considering that the lands were having source of water through the river, the learned reference court has treated the acquired lands as seasonally irrigated lands and has granted compensation at the rate of Rs.1,80,000/- per Acre. Even the maps, Exh. 26 and 27 of village Murdhav and Talani revealed that these villages are on the bank of river. Considering the above discussion, this court is of the view that the learned reference court has taken just, reasonable and proper view while granting compensation in

favour of the claimants. No case is made out for interference in the impugned judgment and award of the reference court as the compensation awarded is not excessive or exorbitant. Hence, the first appeals are devoid of merits and the same are dismissed. Pending civil applications, if any, also stand disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/