IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

273 FIRST APPEAL NO. 2689 OF 2016

THE STATE OF MAHARASHTRA THROUGH COLLECTOR LATUR AND ANOTHER
VERSUS
RANGRAO GUNDAPPA VIJAPURE
...
AGP for appellants/State : Mr. A.M. Phule
...

274 FIRST APPEAL NO. 2691 OF 2016

THE STATE OF MAHARASHTRA THROUGH COLLECTOR LATUR AND ANOTHER
VERSUS
ISHWAR RAOSAHEB BHANDE
...
AGP for appellants/State : Mr. D.R. Korde
...

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

PER COURT :-

1. As the acquisition proceeding is of the year 1999, heard finally with the consent of learned AGP.

2. By these appeals, the appellants/State assails the judgment and award dated 9.1.2013 passed by the learned Civil Judge, Senior Division, Udgir in LAR Nos. 357/2010 and 338/2010.

3. The lands of the claimants admeasuring 21 R. from Gat No. 28 and 20 R. from Gat No. 41 situated at village Wad-Murumbi, Tq. Deoni were acquired for construction of Percolation Tank No. 3 of Vad-Murumbi. Notification under section 4 of the Land Acquisition Act was published in official gazette on 20.5.1999. Possession of the lands was already taken over on 19.12.1997. The Special Land Acquisition Officer (SLAO) has declared the award on 5.3.2001 and granted rate of Rs.435/- and 485/-per

R. After accepting the amount under protest, the claimants sought reference under section 18 of the Act by contending that very meager compensation has been granted by the SLAO.

4. Before the reference court, the claimants relied upon the sale instance, Exh. 17, dated 21.4.1999 by which 40 R. land situated at village Vad-Murumbi was sold for Rs.1,10,000/- and as per sale instance, Exh. 17 market value of the acquired land comes to Rs.2750/- per R. in the year 1999. The learned reference court has also relied upon the order, Exh. 18, dated 18.2.2008 passed in LAR No. 289/2005 whereby the learned reference court has granted rate of Rs.2,000/- per R. When the sale instance from the same village was available and when it was prior to section 4 notification, the learned reference court ought to have considered the same, but inspite of that the learned reference court has considered the order passed in LAR No. 289/2005 and has granted the rate which is on lower side. Therefore, this court is of the view that no case is made out for interference in the order passed by the learned reference court. The first appeals sans merits and the same are dismissed. Pending civil application, if any, also stands disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/