IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

290 FIRST APPEAL NO. 1704 OF 2014

THE SATE OF MAHARASHTRA AND ANOTHER
VERSUS
NARAYAN GYANOBA PATIL AND OTHERS
...
AGP for appellants/State : Mr. S.S. Dande
Advocate for Respondent/State : Mr. A.B. Kale
...

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

PER COURT :-

1. As the acquisition proceeding is of the year 1987, heard finally with the consent of learned counsel for respective parties.

2. By this appeal, the State assails the judgment and award dated 13.12.2012 passed by the learned Civil Judge, Senior Division, Omerga, in LAR No. 735/2005.

3. The land of the claimants situated at village Naichakur was acquired for the project of Rehabilitation of village Naichakur. Notification under section 4 of the Land Acquisition Act came to be published on 9.3.1987. Possession of the acquired land was taken on 5.11.1993. On 23.1.1989 Special Land Acquisition Officer (SLAO) has declared the award and has granted compensation of Rs.21,000/- per H. for group I lands, Rs.22,000/- per H. for group III land. After accepting the amount under protest, the claimants sought reference under section 18 of the Act.

4. Before the reference court, the claimants relied upon the sale deed, Exh. 15, of the year 1997 by which land from village Narangwadi was sold for Rs.19,151/-. The claimants also relied upon the sale deed, Exh. 16, of

the year 1989 by which land from village Killari was sold for Rs.20,000/- and the sale deed, Exh.17 by which the land from village Mangrul was sold for Rs.15,000/-. The learned reference court, relying upon the sale deeds, Exh. 15 and 16 and order passed in LAR No. 58/2005, which was in respect of the lands acquired from the same village for the same project, has granted compensation at the rate of Rs.3,000/- per R. to the claimants. It is not brought to the notice of this court that the order passed in LAR No. 58/2005 was assailed by the State or the same was modified or set aside by this Court. As relying upon the order passed in LAR No. 58/2005 the learned reference court has granted compensation, which arise from the same village for the same project, this Court is of the view that the reference court has rightly determined the compensation for acquired lands. Therefore, no case is made out to interfere with the impugned order. The appeal is devoid of merits. Hence, the same is dismissed. Pending civil application, if any, also stands disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/