IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 X-OBJECTION NO. 63 OF 2023 IN FA/2621/2016

Govind Masaji Jangapalle
VERSUS
The State Of Maharashtra, Through The Collector, Latur And Another

AND
FIRST APPEAL NO. 2621 OF 2016

The Executive Engineer Latur Minor Irrigation Division, Latur And Another
VERSUS
Govind Masaji Jangapalle

AND
X-OBJECTION NO. 64 OF 2023 IN FA/2618/2016

Chandrashekhar Masaji Jangapalle
VERSUS
The State Of Maharashtra, Through The Collector, Latur And Another

AND
FIRST APPEAL NO. 2618 OF 2016

The Executive Engineer Latur Minor Irrigation Division, Latur And Anr
VERSUS
Chandrashekhar Masaji Jangapalle

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Mr. H.B. Nandgavale, Advocate h/f Mr. V.G. Sakolkar, Advocate for Claimants
Mr. T.B. Bhosale, Advocate for Acquiring Body in FA/2621/2016.
Mr. S.S. Dande, AGP for State

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 23 OCTOBER, 2026

PER COURT :

1. Heard the learned counsel for the respective parties.

2. By these appeals, the appellant-acquiring body and the appellant-State take exception to the common impugned Judgment and Award dated 09.02.2011 passed by the learned Civil Judge, Senior Division, Ahmedpur, in Land Acquisition Reference Nos. 861 of 2008 and 862 of 2008, concerning lands situated at village Vilegaon, acquired for the Tambat-Sangvi Storage Tank Project.

3. Learned counsel appearing for the claimants submits that this Court has already decided appeals arising out of the same project. By order dated 15.07.2026 passed in First Appeal No. 2635 of 2010 and connected matters, this Court partly allowed the appeals filed by the claimants and modified the impugned Judgments and Awards by granting compensation at the rate of Rs.2,82,204/- per Acre for dry lands and Rs.4,23,306/- per Acre for seasonally irrigated lands. The said decision was subsequently followed by this Court in First Appeal No. 651 of 2016 and connected matters, by order dated 16.07.2026, wherein the appeals filed by the claimants and the acquiring body were partly allowed. Learned counsel appearing for the acquiring body and the learned AGP appearing for the appellant-State fairly concede the aforesaid position.

4. Having considered the submissions advanced by learned counsel for the claimants, and the concession fairly made by learned counsel for the acquiring body and the learned AGP appearing for the appellant-State, and

in view of the fact that the issue involved in the present appeal and cross-objection is squarely covered by the aforesaid decisions of this Court, I see no reason to take a different view. The present appeals as well as cross objections, therefore, deserves to be partly allowed in terms of the aforesaid orders. Hence, the following order:

ORDER

(i) The First Appeals filed by the acquiring body and the State, as well as the Cross-Objections filed by the claimants, are partly allowed.

(ii) The common impugned Judgment and Award dated 09.02.2011 passed by the learned Civil Judge, Senior Division, Ahmedpur, in Land Acquisition Reference Nos. 861 of 2008 and 862 of 2008 is modified.

(iii) The claimants are entitled to receive compensation at the rate of Rs.2,82,204/- per Acre for the acquired dry lands and Rs.4,23,306/- per Acre for the acquired seasonally irrigated lands, in accordance with the categorization made by the learned Reference Court.

(iv) The claimants shall be entitled to consequential statutory benefits on the enhanced compensation in accordance with the provisions of the Land Acquisition Act, 1894.

(v) Interest under Sections 28 and 34 of the Act shall be payable strictly in accordance with the law laid down by the Full Bench of this Court in *State of Maharashtra v. Kailash Shiva Rangari, 2016 (3) Mh.L.J. 457*.

(vi) The amount of compensation already paid to the claimants shall be duly adjusted.

(vii) The claimants shall pay the deficit court fee, if any, on the enhanced compensation.

(viii) The claimants shall not be entitled to statutory benefits or interest for any period of delay, if any, in accordance with law.

(ix) Save and except to the extent of the aforesaid modification, the impugned Judgment and Award shall remain unaltered.

(x) The modified Awards shall be drawn accordingly.

(xi) Pending Civil Applications, if any, stand disposed of.

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane