IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 X-OBJECTION NO. 171 OF 2025 IN FA/1710/2010

Indrasingh Gotesingh Rajput (Died)
Through L.Rs. Kalpanabai Indrasing Girase And Others
VERSUS
The State Of Maharashtra And Another

WITH
FIRST APPEAL NO. 1710 OF 2010

Executive Engineer Medium Project Division No.1
VERSUS
Indrasingh Gotesingh Rajput (Died)
Through L.Rs. Kalpanabai Indrasing Girase And Others

WITH
X-OBJECTION NO. 172 OF 2025 IN FA/997/2010

Ganpat Mangalsing Girase
VERSUS
The State Of Maharashtra And Another

WITH
FIRST APPEAL NO. 997 OF 2010

Executive Engineer Medium Project Division No.1, Dhule
VERSUS
Ganpat Mangalsinh Girase And Anr

WITH
X-OBJECTION NO. 174 OF 2025 IN FA/1684/2010

Devchand Tukaram Maher
VERSUS
The State Of Maharashtra Through The S.L.A.O (MIP) Dhule And Others

WITH
FIRST APPEAL NO. 1684 OF 2010

Executive Engineer,
VERSUS
Devchan Tukaram Mahar

WITH
X-OBJECTION NO. 173 OF 2025 IN FA/1685/2010

Mahadu Vedu Mang (Died)
Through L.Rs. Mangalabai Daga Pawar And others
VERSUS
The State Of Maharashtra
Through The S.L.A.O. Medium Irrigation Project Dhule And Another

WITH
FIRST APPEAL NO. 1685 OF 2010

Executive Engineer Medium Project Division No.1
VERSUS
Mahadu Vedu Mang (Died)
Through L.Rs. Mangalabai Daga Pawar And Others

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Mr. B.K. Pawar, Advocate h/f Mr. A.B. Kale, Advocate for Claimants
Ms. Manjusha S. Jagtap, Advocate for Acquiring Body in FA/1710/2010 and X-Obj./171/2025
Mr. D.D. Pokharkar, Advocate for Acquiring Body in FA997/2010, FA/1684/2010, FA/1685/201, X-Obj/172/2025, X-Obj/173/2025 and X-Obj/174/2025
Mr. D.R. Korde, AGP for State

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

PER COURT :

1. Heard the learned AGP for the appellant-State.

2. By this appeal, the appellant-acquiring body challenges the Judgments and Awards dated 29.09.2009, 31.01.2009, 31.12.2008, and 23.03.2009 passed by the learned Reference Court, Dhule, in Land Acquisition Reference No.446 of 2004, 444 of 2004, 474 of 2004 and 488 of 2004, in respect of the acquisition of the claimant's land situated at village Wadi Medium Project.

3. Learned counsel appearing for the claimants submits that this Court has already decided an appeal arising out of the same project. By order dated 12.06.2025 passed in First Appeal No.2085 of 2017, this Court, taking into consideration the order dated 03.07.2024 passed by the National Lok Adalat in First Appeal No.1367 of 2020, determined the compensation at the rate of Rs.4,00,000/- per hectare for irrigated land and Rs.2,00,000/- per hectare for jirayat land. The learned counsel appearing for the acquiring body and the learned AGP for the State fairly concede the aforesaid position.

4. Having considered the submissions advanced by the learned counsel for the respective parties, and in view of the fact that the issue involved in the present appeals and cross-objections is squarely covered by the aforesaid orders of this Court, I see no reason to take a different view. The appeals filed by the acquiring body, therefore, deserve to be dismissed, and the cross-objections filed by the claimants deserve to be partly allowed. Hence, the following order:

O R D E R

(i) The First Appeals filed by the acquiring body are dismissed.

(ii) The cross-objections filed by the claimants are partly allowed.

(iii) The impugned Judgments and Awards passed by the learned Reference Court, Dhule, in Land Acquisition Reference Nos.446 of 2004, 444 of 2004, 474 of 2004 and 488 of 2004 stand modified to the extent indicated hereinbelow.

(iv) The claimants shall be entitled to compensation at the rate of Rs.2,00,000/- per hectare for the acquired jirayat land and Rs.4,00,000/- per hectare for the acquired irrigated land, in accordance with the categorization made by the learned Reference Court.

(v) The claimants shall be entitled to all consequential statutory benefits and interest on the enhanced compensation in accordance with Sections 28 and 34 of the Land Acquisition Act, 1894, and the law laid down by the Full Bench of this Court in ***State of Maharashtra v. Kailash Shiva Rangari, reported in 2016 (3) Mh.L.J. 457***.

(vi) The claimants shall not be entitled to interest and statutory benefits for the period of delay in filing the cross-objections.

(vii) Save and except the aforesaid modification, the rest of the impugned Judgments and Awards shall remain unaltered.

(viii) The claimants shall pay the deficit Court fees, if any, on the enhanced amount of compensation.

(ix) The modified awards be drawn accordingly.

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

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane