IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 FIRST APPEAL NO. 50 OF 2014

Hanmant Vasudeorao Patil And Others
VERSUS
The State Of Maharashtra And Others
...
Advocate for Appellants : Mr. M. D. Narwadkar & Mr. S. S. Kurundkar
AGP for Respondent-State: Mr. D. R. Korde
Advocate for Respondent No.3 : Mr. Surwase B. R.
...

904 FIRST APPEAL NO. 55 OF 2014

Baliram Pandurang Patil
VERSUS
The State Of Maharashtra And Others
...
Advocate for Appellants : Mr. M. D. Narwadkar & Mr. S. S. Kurundkar
AGP for Respondent-State: Mr. A. D. Wange
Advocate for Respondent No.3 : Mr. Surwase B. R.
...

905 FIRST APPEAL NO. 59 OF 2014

Kondabai Vasudeorao Patil, L. R. Ramdas Balaji Patil
VERSUS
The State Of Maharashtra And Others
...
Advocate for Appellant : Mr. M. D. Narwadkar & Mr. S. S. Kurundkar
AGP for Respondent-State: Mr. B. A. Shinde
Advocate for Respondent No.3 : Mr. Surwase B. R.
...

905 FIRST APPEAL NO. 67 OF 2014
(Not on board. Taken on board.)

Balaji s/o Vasudeo Patil
VERSUS
The State Of Maharashtra And Others
...
Advocate for Appellants : Mr. M. D. Narwadkar & Mr. S. S. Kurundkar
AGP for Respondent-State: Mr. A. D. Wange
Advocate for Respondent No.3 : Mr. Surwase B. R.
...

905 FIRST APPEAL NO. 52 OF 2014
(Not on board. Taken on board.)
Shivaji Vasudeorao Patil
VERSUS
The State Of Maharashtra And Others
...
Advocate for Appellants : Mr. M. D. Narwadkar & Mr. S. S. Kurundkar
AGP for Respondent-State: Mr. A. D. Wange
Advocate for Respondent No.3 : Mr. Surwase B. R.
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 31.10.2026

PER COURT :

1. Time to carry out amendment extended by one week.

2. As these appeals are pending since 2014 and learned counsel for the claimants is unaware of whether the claimants are alive or not, their legal heirs are at liberty to file duly obtained legal heirship certificate.

3. As the acquisition proceeding is of the year 1999, the appeals are being heard finally with the consent of learned counsel for the respective parties.

4. By these appeals, the appellant/State is aggrieved by the judgment and award dated 14.02.2013, 15.02.2013 passed by the Civil Judge, Senior Division, Link Court, Mukhed Dist. Nanded in LAR Nos.260/2007, 268/2007, 266/2007, 167/2009 and 252/2007.

5. The lands of the claimants were acquired from village Bhatapur Tal. Mukhed Dist. Nanded for the purpose of Lendi Project at village

Bhatapur. The lands of the claimants are as follows:

First Appeal Nos.	LAR Nos.	Gat Nos.	Land Adm.
50/2014	268/2007	39-3 35-2 39-2	1H 04R 41R 40R
55/2014	167/2009	45-2	3H 46R
59/2014	252/2007	31	12R
67/2014	260/2007	39-1	63R
52/2014	266/2007	6-1	48R

The notification under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act") was published on 03.08.1999 and award under Section 11 of the Act was passed on 17.03.2006.

6. Both the learned counsel submit that present appeals can be disposed of in view of order passed by this Court in First Appeal No.5204/2017 with connected matters on 09.10.2026 arising out of same project and same notification.

7. As this Court has already decided the appeal arising out of same project and same notification, I am inclined to adopt the same view. The present appeals are disposed of in view of order passed in First Appeal No.5204/2017 with connected matters on 09.10.2026.

8. The learned counsel for the claimants submits that in First Appeal No.50/2014 arising out of LAR No.268/2007, the Survey No.39-3 also contained 7R and 3R potkharab land. Similarly, in First Appeal No.55/2014 arising out of LAR No.167/2009, the acquired land also contained 21R

potkharab land. Further, in First Appeal No.67/2014, arising out of LAR No.260/2007, the acquired land contained 4R potkharab land. The learned Reference Court has not awarded compensation for the aforesaid portion of potkharab land. It is settled position that compensation for potkharab land must be granted half times the compensation for dry land. Therefore, the claimants having potkharab land in their share are entitled to Rs.1361/- per R. Hence, I pass following order:-

ORDER

I. The first appeals are partly allowed.

II. The Claimants are entitled to compensation @ of Rs.1,361/- for Potkharab land, Rs.2,723/- for dry land, Rs.4,084/- for seasonally irrigated land and @ of Rs.5,446/- for irrigated land as per the categorization of land determined by the learned Reference Court.

III. The claimants are entitled to receive statutory benefits and interest as per the Land Acquisition Act, 1894.

IV. Rest of the impugned award remains unaltered.

V. Modified award be drawn accordingly.

VI. The Claimants to pay deficit Court fees, if any.

VII. Pending civil applications, if any, are also disposed of.

[SIDDHESHWAR S. THOMBRE, J.]