IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

4 FIRST APPEAL NO. 589 OF 2010

G.M.I.D.C. Through Its Executive Engineer And Another
VERSUS
Vasant Baburao Dahiphale And Another

WITH
FIRST APPEAL NO. 592 OF 2010

G.M.I.D.C. Through Its Executive Engineer And Another
VERSUS
Parvatibai Nathrao Barule And Another

WITH
FIRST APPEAL NO. 1183 OF 2010

G.M.I.D.C. Through Its Executive Engineer And Another
VERSUS
The State Of Maharashtra And Another

WITH
X-OBJECTION NO. 18 OF 2026 IN FA/1183/2010

Ramakant Nathrao Barule
VERSUS
The State Of Maharashtra And Another

WITH
X-OBJECTION NO. 114 OF 2026 IN FA/559/2010

Udhav Baburao Dahiphale And Another
VERSUS
The State Of Maharashtra And Another

WITH
FIRST APPEAL NO. 559 OF 2010

G.M.I.D.C. Through Its Executive Engineer And Another
VERSUS
Uddhav Baburao Dahiphale And Another
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WITH
FIRST APPEAL NO. 570 OF 2010

G.M.I.D.C. Through Its Executive Engineer And Another
VERSUS
Sanjay Ventak Sude And Another

WITH
X-OBJECTION NO. 17 OF 2026 IN FA/592/2010

Parwatibai Nathrao Barule
VERSUS
The State Of Maharashtra And Another

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Mr. S.G. Sangle, Advocate for Acquiring Body
Mr. R.P. Adgaonkar, Advocate for Claimants.
Mr. A.D. Wange, AGP for State

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 06 OCTOBER, 2026

PER COURT :

1. Heard learned counsel for the respective parties.

2. These First Appeals filed by the acquiring body and Cross-Objections filed by the claimants arise out of the common Judgment and Award dated 29.04.2008 passed by the learned Joint Civil Judge, Senior Division, Latur, in Land Acquisition Reference Nos. 534 of 2000, 151 of 2000, 144 of 2000, 145 of 2000 and 531 of 2000. By the impugned Judgment and Award, the learned Reference Court determined the market value of the acquired lands at the rate of Rs.1,00,000/- per Acre for dry lands and Rs.2,00,000/- per Acre for irrigated lands.

3. The lands belonging to the respective claimants were acquired for the Rena Medium Project, Taluka Renapur, District Latur. The notification under Section 4 of the Land Acquisition Act, 1894 (for short, “the Act”), was published on 14.03.1996. The Special Land Acquisition Officer passed the award under Section 11 of the Act on 30.03.1999 and awarded compensation at the rate of Rs.60,000/- per Hectare. Being dissatisfied with the compensation awarded, the claimants accepted the amount under protest and sought a reference under Section 18 of the Act. The learned Reference Court partly enhanced the compensation by determining the market value at the rates stated hereinabove.

4. After hearing learned counsel for the respective parties for some time, it is brought to the notice of this Court that the issue of determination of market value in matters arising out of the Rena Medium Project has already been considered by this Court in First Appeal No. 526 of 2011 and connected matters, as well as First Appeal No. 951 of 2009 and connected matters. It is pointed out that the market value of the acquired lands was determined at the rate of Rs.1,00,000/- per Acre for dry lands, Rs.1,50,000/- per Acre for semi-irrigated lands and Rs.2,00,000/- per Acre for irrigated lands. The present matters also arise from the same notification dated 14.03.1996, though the acquired lands are situated at village Bhadarwadi.

5. In view of the aforesaid position, no further enhancement or reduction in the market value determined by the learned Reference Court is warranted in these matters. The rates determined by the learned Reference Court for dry and irrigated lands are consistent with the rates stated to have been confirmed by this Court in the matters arising out of the same project and same notification. Accordingly, the determination of market value does not call for interference. The First Appeals filed by the acquiring body and the Cross-Objections filed by the claimants, therefore, do not warrant any relief insofar as the determination of market value is concerned.

6. The only aspect that requires modification is the direction regarding interest under Sections 28 and 34 of the Act. The learned Reference Court has directed payment of interest from the date of publication of the notification under Section 4 of the Act. The said direction requires modification in view of the law laid down by the Full Bench of this Court in ***State of Maharashtra v. Kailas Shiva Rangari, reported in 2016 (3) Mh.L.J. 457***. The entitlement to interest shall, therefore, be governed by the aforesaid decision and the applicable provisions of the Act.

7. In view of the above, the First Appeals filed by the acquiring body deserve to be partly allowed to the limited extent of modifying the direction regarding interest. The Cross-Objections filed by the claimants deserve to be dismissed. Hence, the following order:

O R D E R

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

(ii) The Cross-Objections filed by the claimants are dismissed.

(iii) The common Judgment and Award dated 29.04.2008 passed by the learned Joint Civil Judge, Senior Division, Latur, in Land Acquisition Reference Nos. 534 of 2000, 151 of 2000, 144 of 2000, 145 of 2000 and 531 of 2000 is modified only to the extent of the direction regarding payment of interest under Sections 28 and 34 of the Land Acquisition Act, 1894.

(iv) The claimants shall be entitled to interest under Sections 28 and 34 of the Act in accordance with law, including the law laid down by the Full Bench of this Court in ***State of Maharashtra v. Kailas Shiva Rangari (supra)***.

(v) The claimants shall be entitled to withdraw the amount deposited by the acquiring body, if any, together with accrued interest thereon, subject to adjustment and disbursement in accordance with the modified Award and the law laid down in ***State of Maharashtra v. Kailas Shiva Rangari (supra)***.

(vi) The bank guarantee or solvent security, if any, furnished by the claimants in these appeals shall stand discharged.

(vii) The modified Award shall be drawn accordingly.

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

[SIDDHESHWAR S. THOMBRE]
JUDGE