IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 FIRST APPEAL NO. 1869 OF 2009

Babu Bhilya Gavit
*VERSUS*
The Collector Nandurbar And Ors

WITH
FIRST APPEAL NO. 1877 OF 2009

Reshma Hodlya Gavit And Anr
*VERSUS*
The State Of Maharashtra And Ors
...
WITH
FIRST APPEAL NO. 1878 OF 2009

Ramesh Bhilya Gavit
*VERSUS*
The Collector Nandurbar And Ors

WITH
FIRST APPEAL NO. 1870 OF 2009

Dilya Gava Gavit And Anr
*VERSUS*
The State Of Mah And Ors

WITH
FIRST APPEAL NO. 1872 OF 2009

Busarya Mandya Gavit
*VERSUS*
The Collector Nandurbar And Ors

WITH
FIRST APPEAL NO. 1873 OF 2009

Barkya Gimbalya Gavit L.rs. Chhagnya Bankya Gavit
*VERSUS*
The Collector Nandurbar And Ors

**WITH**
**FIRST APPEAL NO. 1874 OF 2009**

Bhika Ukhedya Gavit
*VERSUS*
The Collector Nandurbar And Ors

**WITH**
**FIRST APPEAL NO. 1875 OF 2009**

Amarish Bhilya Gavit
*VERSUS*
The Collector Nandurbar And Ors

**WITH**
**FIRST APPEAL NO. 1880 OF 2009**

Panta Jethya Gavit
*VERSUS*
The Collector, Nandurbar And Ors

**WITH**
**FIRST APPEAL NO. 1881 OF 2009**

Tokha Akhatya Gavit
*VERSUS*
The Collector, Nandurbar And Ors

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Advocate for Appellant : Adv. Patil Manisha R
AGP for Respondent-State: Mr. D. R. Korde

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**CORAM : SIDDHESHWAR S. THOMBRE, J.**
**DATE : 26.10.2026**

**PER COURT :**

1. As the acquisition proceeding is of the year 2000, the appeals are being heard finally with the consent of learned counsel for the respective parties.

2. By these appeals, the appellant/State is aggrieved by the judgments

and awards dated 30.10.2007, 29.09.2007, 31.12.2007 and 21.12.2007 passed by the Civil Judge, Senior Division, Nandurbar in LAR Nos.69, 17, 67, 37, 13, 33, 20, 38 and 44 of 2005.

3. The lands of the claimants were acquired for the purpose of Minor Irrigation Project at Village Devalipada Tal. Nawapur, Dist. Nandurbar. The notification under Section 4 of the Land Acquisition Act, 1894 (for short, “the Act”) was published on 15.03.2000 and award under Section 11 of the Act was passed on 11.12.2001.

4. Both the learned counsel submit that present appeals can be disposed of in view of order passed by this Court in First Appeal No.2942/2009 with cross objection on 05.10.2026 arising out of same project and same notification.

5. 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.2942/2009 with cross objection on 05.10.2026. Hence, I pass following order:-

## ORDER

i. The present First Appeals filed by the claimants are partly allowed.

ii. The Claimants are entitled to receive the rate of Rs.76,000/- per hectare for the acquired lands.

iii. The claimants are entitled to all statutory benefits as per

the provisions of the Land Acquisition Act, 1894 and interest under Sections 28 and 34, as the case may be, as per the law laid down by Full Bench of this Court in ***State of Maharashtra Vs. Kailash Shiva Rangari (2016(3) Mh.L.J. 457)***.

iv. Rest of the awards passed by the learned Reference Court remain unaltered.

v. Modified awards be drawn accordingly.

vi. Deficit Court fee be paid.

vii. The claimants shall not be entitled to statutory benefits and interest for the delayed period, if any.

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

**[ SIDDHESHWAR S. THOMBRE, J. ]**