IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 FIRST APPEAL NO. 4240 OF 2017

GOVINDA BHAU WAVALE (DIED) THR LRS JITENDRA AND ANR
VERSUS
STATE OF MAHARASHTRA THR S.L.A.O NO.3 AHMEDNAGAR AND ANR
...
Advocate for Appellant : Mr. Bhide Vinod Y.
AGP for Respondent/State : Mr. A.M. Phule
Advocate for Respondent 2 : Mr. S.G. Bhalerao
...
WITH
X-OBJECTION NO. 77 OF 2025 IN FA/4617/2017
WITH
FIRST APPEAL NO. 4617 OF 2017
WITH
X-OBJECTION (STAMP) NO. 33560 OF 2018 IN FA/4240/2017
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
Dated : October 08, 2026

PER COURT :-

1. Heard the learned counsel for the respective parties.

2. These first appeals and cross objections arise out of judgment and award dated 19.12.2016 passed by the learned Civil Judge, Senior Division, Sangamner, District Ahmednagar in LAR Nos. 130/2011 and 139/2011.

3. The learned counsel for the original claimants has tendered across the Bar a copy of the judgment and order dated 24.09.2026 passed by this Court in FA No. 4618/2017 (Keru Gopala Wavale (Deceased) Through L.Rs. Vs. State of Maharashtra and Ors.) and other connected matters. He submits that the lands of the present claimants were acquired from the same village, for the same public purpose, and under the very same notification as involved in FA No. 4618/2017 (supra). It is, therefore, contended that the controversy involved in the present matters is squarely

covered by the judgment and order in FA No. 4618/2017 (supra), and consequently, the present matters deserve to be disposed of in terms thereof. The learned A.G.P. and the learned counsel appearing for acquiring body fairly concedes the aforesaid position.

5. Having considered the submissions advanced by the learned counsel for the respective parties, and in view of the admitted position that the controversy involved in the present appeal is identical to the one decided by this Court in FA No. 4618/2017 (supra), I see no reason to take a different view. The present matters, therefore, deserve to be disposed of in terms of the said judgment and order. Hence, the following order:

O R D E R

(i) First appeals filed by the original claimants are partly allowed.

(ii) The Cross Objections filed by the Acquiring Body are partly allowed to the extent of modification of the interest component.

(iii) The claimants shall be entitled to compensation at the rate of Rs.3,700/- per R for their respective acquired lands.

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

(v) The claimants shall be entitled to interest under Sections 28 and 34 of the Act strictly in accordance with the law laid down by the Full Bench of this Court in **State of Maharashtra vs. Kailas Shiva Rangari, 2016 (3) Mh.L.J. 457.**

(vi) Save and except the aforesaid modifications, the impugned Judgment and Award dated 19.12.2016 passed by the learned Joint Civil Judge, Senior

Division, Sangamner, in the aforesaid Land Acquisition References shall remain unaltered.

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

(viii) The claimants and/or their legal heirs are permitted to withdraw the amount deposited by the Acquiring Body, along with accrued interest, subject to adjustment of the interest component in terms of the law laid down by the Full Bench of this Court in ***State of Maharashtra vs. Kailas Shiva Rangari***, (supra).

(ix) At the time of withdrawal of the amount, the Registrar (Judicial) shall verify all requisite documents, including the heirship certificate, if any.

(x) After payment of the amount due to the claimants, if any excess amount remains, the same shall be paid to the Acquiring Body along with the accrued interest thereon.

(xi) The modified Awards be drawn accordingly.

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

(SIDDHESHWAR S. THOMBRE, J.)

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