IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

277 FIRST APPEAL NO. 4040 OF 2016

THE STATE OF MAH AND ANR
VERSUS
VENKAT KONDIBA WANGE
...
AGP for appellants/State : Mr. S. N. Morampalle
Advocate for Respondent : Mr. L.C. Patil
...

278 FIRST APPEAL NO. 4041 OF 2016

THE STATE OF MAHARASHTRA AND ANR
VERSUS
SUBABAI BABURAO MAHANWAR
...
AGP for appellants/State : Mr. S.S. Dande
Advocate for Respondent : Mr. L.C. Patil
...

279 FIRST APPEAL NO. 4042 OF 2016

THE STATE OF MAHARASHTRA AND ANR
VERSUS
KASHIBAI MAHADEO WAGRE
...
AGP for appellants/State : Mr. A.M. Phule
Advocate for Respondent : Mr. L.C. Patil
...

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

PER COURT :-

1. As the acquisition proceeding is initiated in the year 1988, heard finally with the consent of learned counsel for respective parties.

2. By these appeals, the appellants/State assail the judgment and award dated 25.3.2011 passed by the 4th Jt. Civil Judge, Senior Division, Osmanabad in LAR Nos. 462/1997, 395/1997 and 628/1997.

3. The lands of the claimants admeasuring 40 R. from Block No. 153/B, 23 R. from Block No. 153/C and 6 R. from Block No. 124 situated at village Jagji, Taluka and District Osmanabad were acquired for Deola-Tandulaja-

Murud Railway Station to Jagji public road. Notification under section 4 of the Land Acquisition Act came to be published on 21.9.1988. Possession of the acquired lands was taken over. The Special Land Acquisition Officer (SLAO) has passed the award on 24.12.1992. The SLAO has granted compensation of Rs.9000/- per H. and Rs.10,000/- per H. in respective matters for acquired lands. The claimants accepted the amount under protest and sought reference under section 18 of the Act.

4. Before the reference court, the claimants relied upon sale instance, Exh. 35, by which 1 H. irrigated irrigated land from Block No. 593 situated at village Jagji was sold for consideration of Rs.1,90,000/- along with 1/4th share in the well. Therefore, as per the sale instance, Exh. 35, the reference court by applying the plus and minus points determined the market value of the acquired lands at the rate of Rs. 22,000/- per Acre. As the sale instance is dated 9.10.1992, which was executed after section 4 notification, the learned reference court by applying certain deductions arrived at above rae. Therefore, this court is of the view that the learned reference court has rightly determined the compensation for the acquired lands by relying upon Exh. 35 and this amount cannot be said to be on higher side. Considering the above, this court holds that the compensation awarded by the reference court is just, reasonable and proper and no case is made out to interfere in the impugned award. Hence, the present appeals are dismissed. Pending civil applications, if any, also stands disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/