IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
911 FIRST APPEAL NO. 1619 OF 2012

The State Of Maharashtra And Anr
VERSUS
Dhondiram @ Dhondiba Ram Nalapure

WITH
CIVIL APPLICATION NO. 14905 OF 2010
IN FA/1618/2012

The State Of Maharashtra And Anr
VERSUS
Vithal Ram Nalapure

WITH
CIVIL APPLICATION NO. 14899 OF 2010
IN FA/1613/2012

The State Of Maharashtra And Anr
VERSUS
Balaji Venkat Nalapure And Ors

WITH
FIRST APPEAL NO. 1610 OF 2012

The State Of Maharashtra And Anr
VERSUS
Ramkishan Narsing Nadarge

WITH
FIRST APPEAL NO. 1613 OF 2012

The State Of Maharashtra And Anr
VERSUS
Balaji Venkat Nalapure And Ors

WITH
FIRST APPEAL NO. 1618 OF 2012

The State Of Maharashtra And Anr
VERSUS

Vithal Ram Nalapure

WITH
CIVIL APPLICATION NO. 14907 OF 2010
IN FA/1610/2012

The State Of Maharashtra And Anr
VERSUS
Ramkishan Narsing Nadarge

...

Mr. A. D. Wange, AGP for State.
Mr. H. B. Nandgavale h/f Mr. V. G. Sakolkar for the Respondent.

....

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 22 OCTOBER 2026

P. C.:

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

2. By these Appeals, the State is aggrieved by the judgment and award dated 25th January 2008, passed by CJSD, Ahmedpur Camp at Udgir in LAR No.23/2005, 21/2005, 24/2005 and 22/2005 whereby compensation came to be enhanced.

3. The land of the claimants from village Nagobachiwadi, Tq. Udgir, Dist. Latur was acquired for the purpose of construction of percolation tank at village Nagobachiwadi. The notification under Section 4 of the Land Acquisition Act, 1894 (for short "the Act") was published on 18th November 1999 and award under Section 11 of the Act was passed on 15th July 2003. The SLAO awarded compensation @Rs.533/- per R to Rs.772/- per R. The

claimants claimed Rs.2,00,000/- per acre and the learned Reference Court awarded compensation @Rs.4,000/- per R.

4. The learned Reference Court has relied upon sale instances at Exhs.18 and 19 produced by the claimants. By sale instance at Exh.18, dry land admeasuring 33R was sold for Rs.1,40,000/- i.e. @Rs.4242/- per R, whereas by the sale instance at Exh.19, irrigated land admeasuring 22R was sold @Rs.2,00,000/- i.e. @Rs.9090/- per R. Sale instance at Exh.19 was subsequent to date of Section 4 notification, thus the learned Reference Court discarded it. However, learned Reference Court relied upon sale instance below Exh.18 which fetched market value of Rs.4242/- per R and granted compensation at a lesser rate i.e. Rs.4,000/- per R which does not seem excessive or exorbitant. The said adjudication is based upon sale instance available on record. Thus, the impugned award warrants no interference.

5. Hence, the First Appeals being devoid of merits, stand dismissed.

[SIDDHESHWAR S. THOMBRE, J.]