IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

923 X-OBJECTION NO. 125 OF 2022
IN FA/330/2016

RATAN HIRAMAN CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND ORS
...
Advocate for the Petitioner : Mr. R.V. Naiknavare
AGP for Respondents 1 & 2 : Mr. A.D. Wange
Advocate for Respondent 3 : Mr. M.N. Navandar
...
WITH
FIRST APPEAL NO. 330 OF 2016
...

CORAM : SIDDHESHWAR S. THOMBRE, J.

Dated : October 27, 2026

PER COURT :-

1. Heard the learned counsel for the respective parties.

2. The present appeal and cross objection arise out of the Judgment and Award dated 22.4.2013 passed by the learned Civil Judge, Senior Division, Osmanabad in LAR No. 56/2008.

3. The land of the claimant situated at Jahagirdarwadi, Taluka and District Osmanabad was acquired for the purpose of conversion of the Miraj-Kuruduwadi-Latur Narrow Gage Railway Line into Broad Gage by issuing notification under section 4 of the Land Acquisition Act on 16.9.2003.

4. The learned counsel for the claimant has tendered across the Bar a copy of the judgment and order dated 29.7.2026 passed by this Court in FA No. 1898/2015 (Shesherao Hiraman Chavan Vs. The State of Maharashtra and Ors.). He submits that the land of the claimant was acquired from the same village, for the same public purpose, and under the very same notification as involved in the aforesaid appeal. It is, therefore, contended that the controversy involved in the present matters is squarely covered by

the judgment and order in FA No. 1898/2015 (supra) and consequently, the present matters deserve to be disposed of in terms thereof. The learned A.G.P. appearing for State and the learned counsel appearing for acquring body fairly concede 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 the Coordinate Bench in First Appeal No.766 of 2013 by judgment and order dated 24.09.2025, 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:

ORDER

(i) The first appeal and cross objection are partly allowed.

(ii) The impugned judgment and award is modified to the extent that the claimant shall be entitled to compensation at the rate of Rs.4,000/- per R for irrigated land instead of Rs.3,000/- per R.

(iii) The claimant is entitled to receive all statutory benefits including interest under Sections 28 and 34 of the Act from the date of award i.e. 07.12.2005 as per the law laid down by the Full Bench of this Court in State of Maharashtra Vs. Kailash Shiva Rangari 2016 (4) Mh.L.J. 457.

(iv) Deficit court fee, if any, be paid.

(v) Modified award be drawn accordingly.

(vi) Rest of the award passed by the learned Reference Court remains unaltered.

(vii) Pending civil applications, if any, are also disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/