IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 CIVIL APPLICATION NO. 12542 OF 2026 IN X-OBJST/34318/2026

Ravansidha Dattatraya Lamjane And Others
VERSUS
The State Of Maharashtra, Through The Collector, Dharashiv And Another

WITH
FIRST APPEAL NO. 4526 OF 2017

The State Of Maharashtra
VERSUS
Ravansidha Dattatraya Lamjane And Others

.....

Mr. R.P. Bhumkar, Advocate for Claimants
Mr. A.D. Wange, AGP for State

.....

CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 23 OCTOBER, 2026

PER COURT :

ORDER IN CIVIL APPLICATION FOR DELAY:

1 The present Civil Application is filed by the applicants-claimants seeking condonation of 3,180 days' delay in filing the cross-objection.

2 For the reasons stated in the application, the Civil Application is allowed. The delay of 3,180 days in filing the cross-objection stands condoned.

ORDER IN X-OBJST NO.234318/2026 AND FA/4526/2017:

1. Heard the learned counsel for the respective parties.

2. By this appeal, the appellant-State challenges the Judgment and Award dated 14.08.2013 passed by the learned Civil Judge, Senior Division, Omerga, in Land Acquisition Reference No.171 of 2005. The claimants' land was acquired for the purpose of rehabilitation of earthquake-affected persons of village Jevali.

3. Learned counsel appearing for the cross-objectors-claimants submits that the Coordinate Bench of this Court has already decided an appeal arising out of the same project and under the same notification. By judgment dated 05.01.2018 passed in First Appeal No.2944 of 2013, this Court determined the compensation at the rate of Rs.7,500/- per R. The said decision was subsequently followed by another Coordinate Bench of this Court in First Appeal No.247 of 2025 by order dated 18.12.2025. The learned AGP for the appellant-State fairly concedes the aforesaid position.

4. Having considered the submissions advanced by the learned counsel for the respective parties, and in view of the fact that the issue involved in the present appeal and cross-objection is squarely covered by the aforesaid decisions of this Court, I see no reason to take a different view. The appeal filed by the State, therefore, deserves to be dismissed, and the cross-objection filed by the claimants deserves to be partly allowed. Hence, the following order:

O R D E R

(i) The First Appeal filed by the State is dismissed.

(ii) The cross-objection filed by the claimants is partly allowed.

(iii) The Judgment and Award dated 14.08.2013 passed by the learned Civil Judge, Senior Division, Omerga, in Land Acquisition Reference No.171 of 2005 stands modified.

(iv) The claimants shall be entitled to compensation at the rate of Rs.7,500/- per R for the acquired land.

(v) The claimants shall be entitled to all consequential statutory benefits. Interest under Sections 28 and 34 of the Land Acquisition Act, 1894, shall be payable on the enhanced compensation from the date of the award, in accordance with the law laid down by the Full Bench of this Court in ***State of Maharashtra v. Kailash Shiva Rangari, 2016 (3) Mh.L.J. 457***.

(vi) The claimants shall not be entitled to interest and statutory benefits for the period of delay in filing the cross-objection.

(vii) Save and except the above modification, the rest of the impugned Judgment and Award shall remain unaltered.

(viii) The claimants shall pay the deficit court fee, if any, on the enhanced amount of compensation.

(ix) The modified award be drawn accordingly.

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

[SIDDHESHWAR S. THOMBRE]
JUDGE

S P Rane