IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

35 FIRST APPEAL NO. 740 OF 2014

Bhujang Govind Kendre And Another
VERSUS
The State Of Maharashtra And Another

WITH
FIRST APPEAL NO. 741 OF 2014

Madhav Ramrao Kendre And Others
VERSUS
The State Of Maharashtra And Another

...

Advocate for Appellants : Mr. B. R. Waramaa
AGP for Respondent-State: Mr. A. D. Wange

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CORAM : SIDDHESHWAR S. THOMBRE, J.
DATE : 26.10.2026

PER COURT :

1. As the acquisition proceeding is of the year 2004, the appeals are being heard finally with the consent of learned counsel for the respective parties.

2. By these appeals, the appellants/claimants are aggrieved by the judgment and award dated 04.09.2013 passed by the Joint Civil Judge, Senior Division, Udgir in LAR Nos.2303/2010 and 2304/2010.

3. The lands of the claimants in LAR No.2304/2010, bearing Gat No.292, adm.1H 56R and in LAR No.2303/2010, bearing Gat No.318, adm. 13R and from Gat No.317, adm. 32R situated at village Nawandi

were acquired for the purpose of Percolation Tank No.3 at village Nawandi Tal. Udgir Dist. Latur. The notification under Section 4 of the Land Acquisition Act, 1894 (for short, "the Act") was published on 01.01.2004 and award under Section 11 of the Act was passed on 01.03.2008.

4. Mr. Waramaa, learned counsel for the appellants submits that present appeals can be disposed of in view of order passed by this Court in First Appeal No.427/2016 with connected matter and cross objections on 23.10.2026 arising out of same project and same notification.

5. As this Court has already decided the appeals arising out of same project and same notification, I am inclined to adopt the same view. The present appeals are disposed of in view of order passed in First Appeal No.427/2016 with connected matter and cross objections on 23.10.2026. Hence, I pass following order:-

ORDER

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

(ii) The common impugned Judgment and Award dated 04.09.2013 passed by the learned Joint Civil Judge, Senior Division, Udgir, in Land Acquisition References Nos.2303/2010 and 2304/2010, is modified to the extent that the claimants shall be entitled to compensation for the acquired lands at the rate of Rs.1,30,000/- per acre.

(iii) The claimants shall be entitled to consequential statutory

benefits on the enhanced compensation in accordance with the provisions of the Land Acquisition Act, 1894.

(iv) Interest under Sections 28 and 34 of the Act shall be payable strictly 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.***

(v) The amount of compensation already paid to the claimants shall be duly adjusted.

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

(vii) The claimants shall not be entitled to statutory benefits or interest for any period of delay, if any, in accordance with law.

(viii) Save and except to the extent of the aforesaid modification, the impugned Judgment and Award shall remain unaltered.

(ix) The modified Award shall be drawn accordingly.

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

[SIDDHESHWAR S. THOMBRE, J.]