IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 CIVIL APPLICATION NO. 12733 OF 2026
IN FA/955/2013

HARIDAS VITHOBA KATOLE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR JALNA AND ORS.
...
Advocate for Applicant/claimant : Mr. Swapnil Joshi h/f. J.P. Legal Associates
AGP for Respondents/State : Mr. D.R. Korde
Advocate for Respondent 3/acquiring body : Ms. Priyanka Deshpande h/f. Mr. S.B. Deshpande
...
WITH
FIRST APPEAL NO. 955 OF 2013
...

CORAM : SIDDHESHWAR S. THOMBRE, J.
Dated : October 27, 2026

PER COURT :-

1. Heard the learned counsel for the respective parties.

2. By this appeal, the appellant/State assails the Judgment and award dated 2.2.2012 passed by the learned 2nd Jt. Civil Judge, Senior Division, Jalna in LAR No. 1382/2010.

3. The learned counsel for the respective parties submit that the compensation enhanced by the learned Reference Court does not exceed four times the amount awarded by the Land Acquisition Officer.

4. In view of the aforesaid submissions and having regard to the policy decision of the State Government contained in Government Resolution No.Sankirna-2014/Prak.Kra.4/Bham-1/A-4 dated 03.11.2016 with Corrigendum dated 23.02.2017 and 13.08.2018 to the said Government Resolution, took a decision not to challenge the reference, if compensation is enhanced only upto four times.

5. The learned AGP for the State further submits that the reference court has granted interest and other statutory benefits from the date of publication of notification under section 4 of the Land Acquisition Act and the same is contrary in view of the judgment of Full Bench of this Court in the case of **State of Maharashtra vs. Kailas Shiva Rangari**, **2016 (4) Mh.L.J. 457**.

6. Considering the above, I pass the following order.

O R D E R

(I) The appeal is partly allowed.

(II) The claimant shall be entitled to interest and other statutory benefits strictly in accordance with the law laid down by the Full Bench of this Court in the case of **State of Maharashtra vs. Kailas Shiva Rangari** (supra).

(III) The claimant is permitted to withdraw the amount deposited by the Acquiring Body, along with accrued interest thereon, subject to adjustment of the interest component in terms of the law laid down by the Full Bench of this Court in *State of Maharashtra vs. Kailas Shiva Rangari*, (supra). Civil application for withdrawal of amount is disposed of accordingly.

(IV) Rest of the award is maintained.

(V) Civil Applications, if any, stand disposed of.

(SIDDHESHWAR S. THOMBRE, J.)

ssc/