IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 2248 OF 2018

The Executive Engineer, Irrigation Project Majbutikaran Division, Omerga And Ors
VERSUS
Yadav Pandurang Tambe

WITH
CIVIL APPLICATION NO. 555 OF 2025
IN FA/2248/2018

WITH

CIVIL APPLICATION NO. 6650 OF 2020
IN FA/2248/2018

AND

FIRST APPEAL NO.2254 OF 2018

The Executive Engineer, Irrigation Project Majbutikaran Division, Omerga And Ors
VERSUS
Mukund Sandipan Tambe

WITH
CIVIL APPLICATION NO. 6651 OF 2020
IN FA/2254/2018

WITH
CIVIL APPLICATION NO. 562 OF 2025
IN FA/2254/2018

WITH

CIVIL APPLICATION NO. 564 OF 2025
IN FA/2254/2018

AND

FIRST APPEAL NO. 2253 OF 2018

The Executive Engineer, Irrigation Project Majbutikaran Division, Omerga And Ors
VERSUS
Ahmed Lala Mulani

AND

FIRST APPEAL NO. 2249 OF 2018

The Executive Engineer, Irrigation Project Majbutikaran Division, Omerga
And Ors
VERSUS
Arun Nana Tambe (died)
Through L.Rs.Anita Arun Tambe and others

WITH

CIVIL APPLICATION NO. 557 OF 2025
IN FA/2249/2018

AND

FIRST APPEAL NO.2244 OF 2018

The Executive Engineer, Irrigation Project Majbutikaran Division, Omerga
And Ors
VERSUS
Sow. Sulochana Pandit Tambe

Mr.G.B.Rajale, Advocate for appellants – acquiring body
Mr.R.V.Naiknavare, Advocate for respondent - claimants

CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 07, 2026

ORDER :-

These First Appeals arise out of the common judgment and award dated 27.08.2014, passed by learned 2nd Joint Civil Judge, Senior Division, Osmanabad. Feeling aggrieved by the enhancement granted by the Reference Court, the acquiring body has filed these First Appeals.

2. The details of the appeals are as under :-

Sr. No.	First Appeal No.	L.A.R. Number	Date of decision in L.A.R.	Area acquired
1	2248 of 2018	599 of 2012	27.08.2014	Gut No.119-71 R (non irrigated); Gut No.111-2 H 39 R (irrigated)
2	2254 of 2018	600 of 2012	27.08.2014	Gut No.115-27 R
3	2253 of 2018	603 of 2012	27.08.2014	Gut No.102-79 R; Gut No.103-28 R
4	2249 of 2018	607 of 2012	27.08.2014	Gut No.108-18 R; Gut No.112-22 R; Gut No.113-18 R
5	2244 of 2018	618 of 2012	27.08.2014	Gut No.105-70 R

3. During the course of hearing, learned advocate for both sides submit that the rate granted by the reference court is within four times than the rate granted by the Special Land Acquisition Officer. As such, they submit that the First Appeals are covered by the Government Resolution dated 03.11.2016 with Corrigenda dated 23.02.2017 and 13.08.2018.

4. In view of the above, the First Appeals are disposed of in terms of the following order:-

A) The First Appeals are partly allowed

B) The judgment and award passed by the Reference Court need not be interfered with, subject to the right of the claimants to seek enhancement in their separate independent First Appeals.

C) The interest part shall be governed as per the principles laid down by the Full Bench of this court in **State of Maharashtra Vs. Kailas Shiva Rangari, 2016(4) All MR 513.**

D) The amount deposited by the appellant/acquiring body is permitted to be withdrawn by the claimants by furnishing usual undertaking to the satisfaction of learned Registrar (Judicial) of this Court.

E) Needless to mention, the withdrawal of the deposited amount shall be along with interest accrued thereon.

F) Disbursement of the amount shall be after adjustment of interest as per the principles laid down in **Kailash Rangari**'s case (supra) on the part of interest.

[AJIT B. KADETHANKAR, J.]

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