IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 FIRST APPEAL NO. 164 OF 2023

Sunita Ramkisan Karhale
VERSUS
The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr
...
Mr. A. M. Hajare, Advocate for Appellant
Mr. S. N. Kendre, Mr. S. P. Sonpawale, Mr. Mr. K. B. Jadhavar, Mr. R. K. Ingole, Mr. A. V. Lavte and Mr. B. V. Virdhe, AGPs for respective Respondent-State in respective Appeals.
Mr. S. C. Arora, Advocate for Respondent no.2 in respective Appeals

AND

952 FIRST APPEAL NO. 1598 OF 2023

Gopinath Tukaram Karhale
VERSUS
The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

AND

953 FIRST APPEAL NO. 1652 OF 2023

Bhavlal Kondaji (died) Thr Lrs Uttam And Ors
VERSUS
The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

AND

954 FIRST APPEAL NO. 1654 OF 2023

Kailas Gopinath
VERSUS
The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

AND

955 FIRST APPEAL NO. 1740 OF 2023

Asrabai Tukaram Karhale (died) Thr Lrs Ambadas And Ors
VERSUS
The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

AND

956 FIRST APPEAL NO. 1799 OF 2023

Shamrao Govardhan

VERSUS

The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

AND

957 FIRST APPEAL NO. 2578 OF 2023

Vilas Dada

VERSUS

The Special Land Acquisition Officer Jaikwadi Project Aurangabad And Anr

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CORAM : AJIT B. KADETHANKAR, J.

DATED : 31ST OCTOBER, 2026

P.C. :-

. These appeals could be conveniently disposed of at admission stage considering the submissions advanced by both the learned Advocates for the respective parties. The appeals arise out of the following Judgments and Awards:

Sr. No.	F.A. No.	L.A.R. No.	Date of Judgment	Court
1	164 of 2023	1564 of 2010	28.06.2011	Civil Judge Senior Division Vaijapur.
2	1598 of 2023	1560 of 2010	22.01.2013	Civil Judge Senior Division, Vaijapur.
3	1652 of 2023	1433 of 2010	03.10.2011	Civil Judge Senior Division, Vaijapur
4	1654 of 2023	1322 of 2010	16.06.2011	Civil Judge Senior Division, Vaijapur
5	1740 of 2023	1379 of 2010	24.08.2011	Civil Judge Senior Division, Vaijapur
6	1799 of 2023	1425 of 2010	18.04.2011	Civil Judge Senior Division, Vaijapur

7	2578 of 2023	1419 of 2010	17.06.2011	Civil Judge Senior Division, Vaijapur

2. For the purpose of construction of Sillegaon Minor Irrigation Tank at village Manjarpur, Deoli, Siregaon, Taluka Gangapur, District Aurangabad, the appellants' lands were acquired by the Acquiring Body. The details of the land acquisition are as follows:

First Appeal No.164 of 2023

Section 4 notification: 16.11.1995;
Possession date: 16.11.1995;
Award date: 12.08.1999;
Area of land: 1 H 1 R, Gut No.85, Deoli
S.L.A.O. awarded: Rs.410 to 490 per R;
Reference Court: Rs.1,500/- per are.

First Appeal No.1598 of 2023

Section 4 notification: 16.11.1995;
Possession date: 16.11.1995;
Award date: 12.08.1999;
Area of land: 0 H 4 R, Gut No.127, Siregaon
S.L.A.O. awarded: Rs.410 to 490 per R;
Reference Court: Rs.1,500/- per are.

First Appeal No.1652 of 2023

Section 4 notification: 16.11.1995;
Possession date: 16.11.1995;
Award date: 12.08.1999;
Area of land: 2 H 99 R, Gut No.138, Siregaon
S.L.A.O. awarded: Rs.410 to 490 per R;
Reference Court: Rs.1,500/- per are.

First Appeal No.1654 of 2023

Section 4 notification:	16.11.1995;
Possession date:	16.11.1995;
Award date:	12.08.1999;
Area of land:	0 H 40 R, Gut No.85, Deoli
S.L.A.O. awarded:	Rs.410 to 490 per R;
Reference Court:	Rs.1,500/- per are.

First Appeal No.1740 of 2023

Section 4 notification:	16.11.1995;
Possession date:	16.11.1995;
Award date:	12.08.1999;
Area of land:	0 H 20 R, Gut No.117, Siregaon
S.L.A.O. awarded:	Rs.410 to 490 per R;
Reference Court:	Rs.1,500/- per are.

First Appeal No.1799 of 2023

Section 4 notification:	16.11.1995;
Possession date:	16.11.1995;
Award date:	12.08.1999;
Area of land:	0 H 15 R, Gut No.86, Siregaon
S.L.A.O. awarded:	Rs.410 to 490 per R;
Reference Court:	Rs.1,500/- per are.

First Appeal No.2578 of 2023

Section 4 notification:	16.11.1995;
Possession date:	16.11.1995;
Award date:	12.08.1999;
Area of land:	02 H 23 R, Gut No.85, Deoli
S.L.A.O. awarded:	Rs.410 to 490 per R;
Reference Court:	Rs.1,500/- per are.

3. Thus, being dissatisfied with the inadequacy of the award compensation, the claimants are before this court. This court appointed Mr. S. C. Arora, learned senior panel Advocate of the Acquiring Body to appear for the Acquiring Body. This was for the reason that despite having been served, the responsible Officers of the Acquiring Body had not Engaged any Advocate to look after the matters.

4. When the matters are taken up for consideration, Mr. A. M. Hazari, learned Advocate for the appellants/claimants produced before this Court a copy of judgment and order dated 27.07.2026 passed by this Court in group of First Appeals led by First Appeal No. 959 of 2017. He would submit that the cited appeal arises out of the same land acquisition proceeding, which is the subject matter in present appeals. He would submit that after considering the arguments of all the parties and the matter placed before it, this Court fixed the rate of compensation at the rate of Rs.3,500 per are (applicable for irrigated land). He would submit that these appeals are covered by the cited order and hence those be partly allowed in the same terms.

5. After going through the text of the cited order and also verifying the facts with the record, Mr. S. C. Arora, learned

Advocate fairly agrees that the land acquisition proceeding in the cited appeal is the same one which is subject matter of the present First Appeals.

6. In view of this, I find that First Appeal No. 1799 of 2023 deserves to be dismissed for the reasons recorded above as also for the reasons rendered by this Court in the cited judgment and order delivered in First Appeal No.959 of 2017. The remaining First Appeals deserve to be partly allowed in following terms. Hence following order:

ORDER

a. First Appeal No.1799 of 2023 stands dismissed.

b. First appeals Nos.164 of 2023, 1598 of 2023, 1652 of 2023, 1654 of 2023, 1740 of 2023 and 2578 of 2023 stand partly allowed.

c. The appellants/claimants in allowed First Appeals are held entitled for compensation at the rate of Rs.3,500/- per R, applicable for irrigated land. To that extent, the judgment and award be modified.

d. The Acquiring Body shall deposit the compensation amount in this Court within a period of six months from today.

e. While depositing the award amount, the interest part shall be governed by the full bench judgment of this Court in the case of ***State of Maharashtra Vs. Kailash Shiva Rangari, 2016(3) Mh.L.J. 457.***

f. Deficit Court fees if any, be deposited by the appellants in this Court before withdrawal of the amount.

g. If the amount is deposited by the Acquiring Body, the appellants would be entitled to withdraw the same without making any separate application, however subject to payment of court fees.

h. First appeal stands disposed of.

i. Suffice to note, the appellants shall not be entitled for any statutory benefit and interest for the period of delay, if any.

j. Pending Civil Application if any, stands disposed of.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026