IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 2976 OF 2018

The State Of Maharashtra
VERSUS
Shivaji Nivrutti Chavan
...
Mr. K. B. Jadhavar, AGP for Appellant-State
Mr. S. N. Patil and Mr. N. S. Birajdar, Advocate for Respondent

WITH
X-OBJECTION NO. 506 OF 2026
IN FA/2976/2018

Shivaji Nivruti Chavan.
VERSUS
The Special Land Acquisition Officer And Additional Collector (earth Quake), Osmanabad.

AND
FIRST APPEAL NO. 2979 OF 2018

The State Of Maharashtra
VERSUS
Manik Babarao Patil

WITH
X-OBJECTION NO. 507 OF 2026
IN FA/2979/2018

Manik Babarao Patil.
VERSUS
The Special Land Acquisition Officer And Additional Collector (earth Quake), Osmanabad.

AND
FIRST APPEAL NO. 2978 OF 2018

The State Of Maharashtra
VERSUS
Ram Bali Rankhamb (dead) Thr Lrs Gayabai And Ors

WITH

X-OBJECTION NO. 508 OF 2026
IN FA/2978/2018

Ram Bali Rankhamb (dead) Thr Lrs Gayabai And Ors.
VERSUS
The Special Land Acquisition Officer And Additional Collector (earthquake), Osmanabad.

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CORAM : AJIT B. KADETHANKAR, J.

DATED : 22ND OCTOBER, 2026

P.C. :-

. Feeling aggrieved by the judgment and award dated 16.08.2013 passed by learned Civil Judge Senior Division, Osmanabad in group of Land Acquisition Reference Applications, the Acquiring Body has filed its First Appeals. The claimants also moved respective Cross Objections seeking enhancement in the compensation.

2. Undisputed fact of the cases is that all these lands in the Land Acquisition Reference Applications decided by the Reference Court were acquired by the Acquiring Body for the purpose of rehabilitation of earthquake affected people village Toramba. After compliance of the procedure in the Land Acquisition Act, Special Land Acquisition Officer offered compensation and published the award. Special Land Acquisition Officer offered compensation @ Rs.19,000/- per

hectare.

3. The claimants sought compensation under Section 18 of the Land Acquisition Act before the Reference Court with a request to consider the non agricultural potentiality of the lands. After assessing the evidence on record and rendering findings in favour of the claimants, the Reference Court partly allowed the references and granted compensation @ Rs.11,000/- per R to each of the claimant. Suffice to note, the evidence in all the matters was common.

4. While allowing the said land Acquisition References partly, the Reference Court relied upon its earlier judgment and award in the case of ***Dhanraj Babarao Patil Vs. The State of Maharashtra (L.A.R. No.496 of 2004, decided on 07.03.2013)***. Needless to mention, in Dhanraj Case (supra), the Reference Court granted compensation @ Rs.11,000/- per R. Subsequently, the claimant i.e. Dhanraj Patil filed an appeal in this Court wherein this Court by relying on various judgments and particularly in the light of the judgment and order dated 21.04.2026 passed in First Appeal No.2100 of 2020 held the claimant (Dhanraj) entitled to compensation @ Rs.22/- per Sq. ft.

5. The claimants in other Land Acquisition References similarly situated like present cross objectioners filed corresponding Cross Objections. This Court in Cross Objection No.4047 of 2011 vide order dated 29.06.2026 observing the rate granted by this Court in the case of ***Dhanraj***, partly allowed the cross objection, dismissed the First Appeal filed by the Acquiring Body and held the claimant entitled for compensation @ Rs.22/- per sq.ft. Placing reliance on these orders, Mr. Patil, learned Advocate for the cross objectioners submits that the First Appeals filed by the Acquiring Body be dismissed and the cross objections be partly allowed in terms of the referred orders.

6. Mr. K. B. Jadhavar, learned AGP after going through the order cited by Mr. Patil fairly agrees that the appeals and the cross objections are squarely covered by the orders passed by this Court.

7. With the able assistance of the learned Advocates for both the sides, I have gone through the text of the judgments and awards passed by the Reference Court in the present cases as also in the case of *Dhanraj*. I have also gone through the orders passed by this Court in the cited matters. Undoubtedly

all these lands were acquired for the same project i.e. Rehabilitation of Earthquake Affected Persons. Section 4 notification in all the matters is also one and the same. There is no reason for me to disagree with the view taken by this Court in the cited orders. In view of this, I find that the proceedings could be disposed. Hence, I pass following order:

ORDER

a. First Appeals are partly allowed to the extent of interest.

b. Cross Objections are partly allowed.

c. Cross objectioners/claimants are held entitled for compensation @ Rs.22/- per sq.ft.

d. 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.*** The awards be modified.

e. The Acquiring Body/respondent in the Cross Objections shall deposit the compensation in this Court within a period of six months from today together with accrued interest.

f. After such deposit, the claimants/cross obectioners shall be at liberty to withdraw the same with accrued interest.

g. While disbursing the amount, the Registry shall ensure compliance to the law laid down in ***Kailash Shiva Rangari*** (supra) case.

h. Any security, if offered by the claimants in First Appeals while withdrawing any amount stands discharged.

i. Civil Application if any, stands disposed of.

(AJIT B. KADETHANKAR, J.)

Rushikesh/2026