



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

FIRST APPEAL NO. 2799 OF 2011

EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVISION NO.1
VERSUS
ANANDSING GANPAT GIRASE DIED THR. LRS. RANJIT GIRASE AND
OTHERS

AND

X-OBJECTION (STAMP) NO. 11715 OF 2013
IN FA/2799/2011

ANANDSING GANPAT GIRASE DIED THR. LRS. RANJIT GIRASE AND
OTHERS

VERSUS

EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVISION NO.1

AND

FIRST APPEAL NO. 3524 OF 2008

VIJESING CHINCHA GIRASE DIED THR. LRS SAKUBAI AND OTHERS

VERSUS

SPECIAL LAND ACQ. OFFICER AND ANOTHER

AND

FIRST APPEAL NO. 2413 OF 2012

THE EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVN.1 DHULE

VERSUS

VIJAYSING CHINDHA GIRASE AND OTHERS

AND

X-OBJECTION NO. 120 OF 2025
IN FA/2413/2012

VIJAYSING CHINDHA GIRASE

VERSUS

EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVN.1 DHULE AND
OTHERS

AND

FIRST APPEAL NO. 2035 OF 2012

THE EXECUTIVE ENGINEER, DHULE MEDIUM PROJECT DIVISION 1.

VERSUS

KALUSING SHENPADU BHIL (DIED) LRS SANJAY KALUSING BHIL AND
OTHERS

AND

X-OBJECTION NO. 121 OF 2025

IN FA/2035/2012

KALUSING SHENPADU BHIL DIED THROUGH LRS SANJAY KALUSING
BHIL AND OTHERS

VERSUS

EXECUTIVE ENGINEER, DHULE MEDIUM PROJECT DIVISION 1. AND
ANOTHER

AND

FIRST APPEAL NO. 2798 OF 2011

EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVISION NO.1

VERSUS

ANUBAI PITAMBER KOLI AND ANOTHER

AND

X-OBJECTION (STAMP) NO. 35317 OF 2015

IN FA/2798/2011

ANNUBAI PITAMBAR KOLI SINCE DECEASE THR LRS RAGHUNATH
AND ANOTHER

VERSUS

THE EXECUTIVE ENGINEER DHULE MEDIUM PROJECT DIVISION NO.1
AND ANOTHER

AND

FIRST APPEAL NO. 1450 OF 2014

EXECUTIVE ENGINEER, MEDIUM IRRIGATION PROJECT, DHULE

VERSUS

DHANSING MANGALSING RAJPUT AND OTHERS

AND

X-OBJECTION NO. 91 OF 2025

IN FA/1450/2014

DHANSING MANGALSING RAJPUT THR GPA SUDAM DHANSINGH
GIRASE

VERSUS

EXECUTIVE ENGINEER, MEDIUM IRRIGATION PROJECT, DHULE AND
OTHERS

AND

FIRST APPEAL NO. 2628 OF 2009

SHAMRAO CHINTAMAN BHIL

VERSUS

THE SPECIAL LAND ACQUISITION OFFICER AND ANOTHER

AND

FIRST APPEAL NO. 1709 OF 2010

EXECUTIVE ENGINEER

VERSUS

GOPICHAN MONGHLYA BHIL DIED THR. LRS. RUPSING BHIL AND
OTHERS

AND

FIRST APPEAL NO. 2361 OF 2025

SAHEBRAO BHATA KOLI SINCE DECEASED THR HIS LRS
KASTURBAI SAHEBRAO KOLI AND OTHERS

VERSUS

THE SPECIAL LAND ACQUISITION OFFICER, DHULE AND OTHERS

...

Mr. D. A. Naik, Advocate for Claimants, in all matters, except in FA/2361/2025.

Mr. Anant R. Devakate, Advocate for Claimants in (FA/2361/2025).

Mr. S. G. Joshi, AGP for the State, in all matters.

Mr. Ajay D. Pawar, Advocate for the Acquiring Body, in all matters.

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CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 03rd February, 2026.

Per Court :

1 These appeals and cross-objections are preferred against the judgments and awards passed by the learned Land Reference Court, District Dhule, in Land Acquisition References, as per the following chart:-

Sr. No.	Appeal / Cross-Objection No.	LAR No.	Impugned judgment and award dated
1	First Appeal No. 2799 of 2011	LAR No.138 of 2000	22.08.2008
2	X-Obj. (St.) No.11715 of 2013	LAR No.138 of 2000	22.08.2008
3	First Appeal No.3524 of 2008	LAR No.25 of 2000	31.08.2001
4	First Appeal No.2413 of 2012	LAR No.53 of 2001	23.06.2009
5	X-Objection No.120 of 2025	LAR No.53 of 2001	23.06.2009
6	First Appeal No.2035 of 2012	LAR No.537 of 2004	26.03.2009
7	X-Objection No.121 of 2025	LAR No.537 of 2004	26.03.2009
8	First Appeal No.2798 of 2011	LAR No.20 of 2000	22.08.2008
9	X-Obj. (St.) No.35317 of 2015	LAR No.20 of 2000	22.08.2008
10	First Appeal No.1450 of 2014	LAR No.12 of 2001	23.09.2010
11	X-Objection No.91 of 2025	LAR No.12 of 2001	23.09.2010
12	First Appeal No.2628 of 2009	LAR No.24 of 2005	23.06.2009
13	First Appeal No.1709 of 2010	LAR No.40 of 2001	23.06.2009
14	First Appeal No.2361 of 2025	LAR No.17 of 2001	29.06.2006

2 The learned advocate for the claimants pointed out the pleadings, evidence and the judgment and order dated 17th March, 2019 passed by this Court in Cross-Objection (Stamp) No.5555 of 2019 and other connected matters, in Maha Lok-Adalat. He submitted that the lands of the present appellants and the claimants in the said cross-objections, are acquired for one and the same purpose. He further submitted that the present claimants are similarly situated as the claimants in the said cross-objections and therefore, they are entitled for the enhanced amount of compensation on the principle of parity.

3 The learned counsel for the claimants, on instruction, further submitted that the present claimants are ready to waive the interest on the enhanced amount of compensation for the period of one year, instead of two years, as waived by the other claimants in Cross-Objection (Stamp) No.5555 of 2019 and other matters. He, therefore, submitted to award the compensation to the present claimants and dispose of these appeals, in view of the order dated 17th March, 2019 passed by this Court in Cross-Objection (Stamp) No.5555 of 2019 and other matters in Maha Lok-Adalat.

4 The learned advocate for the acquiring body submitted that if the claimants are ready to waive the interest for two years the appeals may be allowed.

5 The lands of the present claimants and the claimants in Cross-Objection (Stamp) No.5555 of 2019 are acquired for one and the same purpose by one and the same acquiring body. Therefore, on the principle of parity, the present claimants are entitled for the same rate of compensation for their acquired lands, as awarded to the similarly situated claimants in Cross-Objection (Stamp) No.5555 of 2019 and other connected matters.

6 The appellants / claimants are ready to waive interest for one year. They cannot be forced to waive the interest for two years.

7 It would be proper to award interest on the said amount from the date of award as contemplated under Section 28 of the Land Acquisition Act, 1894.

8 It is submitted on behalf of the acquiring body that six months time may be given to the acquiring body to deposit the entire amount alongwith interest in this Court. The prayer deserves to be allowed.

9 In view of the above, the first appeals and the cross-objections filed by the claimants deserve to be allowed with clarification that the claimants' lands in all the matters are non-irrigated. The first appeals filed by the acquiring body deserves to be dismissed. The impugned judgments and awards deserve to be partly set aside. Hence, the following order:-

ORDER

- I. The first appeals filed by the Acquiring Body are dismissed.

- II. The first appeals and the cross-objections filed by the claimants are allowed.
- III. The impugned judgments and awards are partly set aside and modified as under:-
 - a) The claimants are entitled for the compensation at the rate of Rs.2,00,000/- per hectare for non-irrigated lands and Rs.1,00,000/- per hectare for potkharab / barren / uncultivable lands, excluding the earlier amount received by the claimants.
 - b) The claimants are also entitled for additional statutory benefits i.e. solatium, interest and components as per the provisions of the Land Acquisition Act, 1894, except for one year.
 - c) The claimants shall not be entitled for the interest on the enhanced amount of compensation for a period of one year.
 - d) Rest of the part of judgments and awards stand confirmed.
 - e) Award be drawn up as per the above modification.
- IV. If delay caused in filing the first appeals / cross-objections at the instance of the claimants has been condoned, the claimants shall not be entitled to interest and other statutory benefits for the said period of delay.
- V. Respondent/Acquiring Body is directed to deposit the enhanced amount of compensation alongwith statutory

benefits, in this Court within a period of six months from today.

- VI. It is clarified that, if the said amount is not deposit within six months from today, the claimants are entitled for interest on the said amount as per Section 28 of the Land Acquisition Act, 1894.
- VII. If the court fees is not paid, on payment of court fees, the enhanced amount of compensation be paid to the claimants / appellants.
- VIII. Pending civil applications, if any, also stand disposed of.
- IX. Record and proceedings be sent back.

[SANJAY A. DESHMUKH, J.]

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