



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

18 FIRST APPEAL NO. 2256 OF 2021

SHANKAR BAPURAO BAGAL

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Mr. Kakade Deepak M.
AGP for Respondents-State : Mr. S. N. Morampalle.
Advocate for Respondent No.3 : Mr. Arora Shyam C.

...

AND

21 FIRST APPEAL NO. 2683 OF 2022

RUKHMINIBAI NARAYAN BAGAL

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Mr. Kakade Deepak M.
AGP for Respondents-State : Mr. S. V. Hange.
Advocate for Respondent No.3 : Mr. Deepak S. Manorkar (Through V. C.).

...

AND

25 FIRST APPEAL NO. 3414 OF 2025

RAMBHAU @ RAMRAO RAVSAHEB DEVADE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Appellant : Mr. Kakade Deepak M.
AGP for Respondents-State : Mr. N. D. Raje.
Advocate for Respondent No.3 : Mr. Survase B. R.

...

CORAM : SHAILESH P BRAHME, J.

DATE : 09.02.2026

FINAL ORDER :-

1. Heard both sides finally at the admission stage.
2. Appellants are challenging distinct judgments and awards in LAR

Nos.349 of 2010, 36 of 2010 and 724 of 2010. They are claiming enhancement of the compensation and the benefit of escalation on the ground of parity. For that purpose, reliance is placed on consistent view being taken by this Court in numerous matters. One such elaborate judgment is passed in the matter of ***Pralhad Annasaheb Nirwal Vs. State of Maharashtra and others in First Appeal No.1778 of 2024*** with connected matters on 11.12.2025.

3. Learned counsel for the respondents would oppose the submissions. It is submitted that the ground of parity is not attracted in the appeals. Appellants have failed to make a case for enhancement and the appeals are liable to be rejected.

4. In the present cases, the land from village Mangrul, Taluka Mantha has been acquired for 'Nimna Dudhana Project'. The lands have been classified as dry land. The classification has not been disputed by both the parties. The notification under Section 4 of the Land Acquisition Act, 1894, was issued on 18.12.1997 which is relevant for determining the escalation.

5. Following are the material particulars of the appeals :

Sr. No.	First Appeal No.	LAR No.	Gut No.	Total Acquired Area	U/sec.4 notification date	U/sec.11 Award date	SLAO rate per R as per Award	Reference Court enhanced rate per R	Type of land reference court awarded			
									Jirayat	Semi Irrigated	Irrigated	Pot Kharab
1	2256/2021	349/2010	312 315	00H. 90R. 00H.34R.	18.12.1997	19.11.2001	Rs.521/- Rs.619/-	Rs.2000/-	01H. 24R.			
2	2683/2022	846/2010	241	00H. 43R.	18.12.1997	19.11.2001	Rs.537/-	Rs.2000/-	00H. 43R.			
3	3414/2025	724/2010	5	01H. 27R.	18.12.1997	19.11.2001	Rs.679/-	Rs.2000/-	01H. 27R.			

6. This Court has taken consistent view in the matter of acquisitions of lands from cluster of villages for 'Nimna Dudhana Project'. After considering all aspects of the matter, rate of Rs.2,500/- per R. for Jirayat land Rs.3,750/- per R. for Semi irrigated land, Rs.5,000/- for per R. irrigated land and Rs.1,250/- per R. for pot kharab land have been arrived at. The benefit of escalation has also been granted in numerous cases. Present cases are squarely covered by one such common judgment of ***Pralhad Annasaheb Nirwal*** (supra). Appellants are entitled to receive rate of Rs.2,946/- per R. for dry land at the rate of 10% per annum. The payment of interest shall be governed by the decision of Full Bench in ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.)141]***. I, therefore, pass following order :

ORDER

- (i) First appeals are allowed partly.
- (ii) The appellants shall be entitled to receive rate of Rs.2,946/- per R. for dry land.
- (iii) The appellants shall not be entitled to interest and statutory benefits for the delayed period.
- (iv) The appellants shall be entitled to interest under Section 28 and 34 of the Land Acquisition Act, 1894 as per law laid down in the judgment of Full Bench in case of ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***.

- (v) Save and except above modification. Impugned judgment and award shall stand unaltered.
- (vi) The appellants shall pay deficit court fees, if any.
- (vii) Record and proceeding be sent back to the concerned Court, if any.
- (viii) Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)

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