



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

154 FIRST APPEAL NO. 1741 OF 2024

BHAGWAN KANHU BAVASKAR AND ORS
VERSUS
COLLECTOR, JALGAON THR S.L.A.O. (3) U.T.PH. JALGAON AND ANR
WITH
FIRST APPEAL NO. 3001 OF 2024

RAMA SOMA BAVASKAR (DIED) THR LRS SHAMRAO AND ORS
VERSUS
THE COLLECTOR THR THE SPECIAL LAND ACQUISITION OFFICER, UTPH,
JALGAON AND ANR
WITH
FIRST APPEAL NO. 2993 OF 2024

BABURAO HARI BAVASKAR (DIED) THR LRS VATSALABAI AND ORS
VERSUS
THE COLLECTOR THR THE SPECIAL LAND ACQUISITION OFFICER-3, UTPH,
JALGAON AND ANR
WITH
FIRST APPEAL NO. 1473 OF 2025

DHANU SHIVAJI SURWADE (DIED) THR LRS TOTARAM (DIED) THR LRS
ANJANABAI AND ORS
VERSUS
THE DISTRICT COLLECTOR, THR SPECIAL LAND ACQUISITION OFFICER-3,
U.T.PH. JALGAON AND ANR

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Mr. More Kumar Gaurav M., Advocate for Appellants
Mr. S. N. Morampalle, AGP for Respondent No.1/State
Mr. S. B. Kadu, Advocate for Respondent No.2

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CORAM : SHAILESH P. BRAHME, J.
DATE : 20.02.2026

PER COURT :-

- . These appeals can be disposed of due to supervening events.
2. It is informed by Mr. K. M. More, learned counsel appearing for the appellants that the Reference Court had passed impugned judgment and award relying on the rate which was settled in the companion matters before Maha Lok Adalat. The settlement was challenged by the acquiring body by filing various writ petitions emanating from proceedings bearing SR Nos.40 of 2002 and 42 of 2002. The settlement award passed by the Maha Lok Adalat was challenged before the Division Bench vide order dated 19.07.2016. The matters are relegated to the Reference Court for deciding them afresh on their own merits. It is prayed that in view of the quashment of the award passed in Maha Lok Adalat, it would be appropriate to remand the present appeals also to the Reference Court for deciding them afresh on their own merits.
3. Mr. S. B. Kadu, learned counsel for the acquiring body accepts the position.
4. I have gone through the order dated 19.07.2016 passed by the Division Bench in Writ Petition No.9424 of 2015 with connected matters. The Division Bench recorded reason for remanding the matter to the Reference Court. Present appeals are also emanating from the selfsame acquisition process. There was no adjudication by the Reference Court for determining the

rate. Merely relying upon the rate which was agreed between the parties before Maha Lok Adalat, the rate was fixed. Other matters are relegated to the Reference Court. It would be consistent to remand the matters to the Reference Court as is done by the Division Bench.

5. I, therefore, pass following order :

ORDER

- a. First Appeals are allowed partly.
- b. The impugned judgment and award passed by the Reference Court in each appeals are quashed and set aside and the matters are remanded to the Reference Court for deciding them afresh on their own merits by extending opportunity of hearing to the parties.
- c. Both parties shall appear before the Reference Court on 09.03.2026 and the matters shall be decided within a period of nine (9) months thereafter.
- d. The Reference Court shall decide the matters considering the observations made by the Division Bench vide order dated 19.07.2016.

(SHAILESH P. BRAHME, J.)