



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

88 FIRST APPEAL NO. 402 OF 2026

RAOSAHEB TATERAO MULE (DIED) THR LRS. VITTHAL RAOSAHEB MULE
AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR, PARBHANI
COLLECTOR OFFICE PARBHANI AND OTHERS

AND

89 FIRST APPEAL NO. 403 OF 2026

ASHRUBAI BALIRAM MULE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR, PARBHANI
AND OTHERS

AND

90 FIRST APPEAL NO. 404 OF 2026

JANKABAI BALASAHEB MULEY

VERSUS

THE STATE OF MAHARASHTRA THR THE COLLECTOR, PARBHANI AND ORS

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Mr. V. D. Bhise, Advocate for Appellants in all matters

Mr. S. N. Morampalle, AGP for Respondent Nos.1 and 2 in FA/402/2026 &
404/2026

Mr. N. D. Raje, AGP for Respondent Nos.1 and 2 in FA/403/2026

Mr. Bhushan V. Virdhe, Advocate for Respondent No.3 in all matters

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CORAM : SHAILESH P. BRAHME, J.

DATE : 20.02.2026

ORDER :-

. Heard both sides.

2. Appellants are challenging judgment and award passed in their
respective references. 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 appeal. Appellants have failed to make a case for enhancement and the appeal is liable to be rejected.

4. In the present case, the land from village Iralad, Taluka Manwath, District Parbhani has been acquired for 'Nimna Dudhana Project'. The land has been classified as fully irrigated 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 25.07.2008 which is relevant for determining the escalation.

5. Following are the material particulars of the appeal :

FA No.	LAR No.	Gut No.	Total Acquired area	Notification u/s.4	Award u/s. 11 date	SLAO rate as per award	Ld. Reference Court enhanced rate per R	Type of land Ld. Reference Court awarded			
								Jirayat	Semi irrigated	Irrigated	Pot kharab
402/2026 Raosaheb (Died) Vitthal and Ors	45/2015 (30.06.2018)	183	00 H 84 R	25.07.2008	21.06.2010	Rs.1,425/-	Rs.4,800/- fully irrigated			00 H 84 R	

403/2026 Ashrubai Baliram Mule & Ors	41/2015 (26.06.2018)	60	00 H 74 R	25.07.2008	21.06.2010	Rs.1,425/-	Rs.4,800/- fully irrigated			00 H 74 R	
404/2026 Jankabai Balasaheb Muley	83/2015 (30.08.2018)	97	01 H 92 R	25.07.2008	21.06.2010	Rs.1,425/-	Rs.4,800/- fully irrigated			01 H 92 R	

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 Are for Jirayat land Rs.3,750/- per Are for Semi irrigated land, Rs.5,000/- for per Are irrigated land and Rs.1,250/- per Are for pot kharab land have been arrived at. The benefit of escalation has also been granted in numerous cases. Present case is squarely covered by one such common judgment of **Pralhad Annasaheb Nirwal** (supra). Appellants are entitled to receive rate of Rs.5,000/- per Are for fully irrigated land and escalation for 12 years, 3 months, 25 days (4,499 days) at the rate of 10% per annum. Thus, the appellants are entitled to receive rate of Rs.15,687/- per Are for fully irrigated land. 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

- a. First Appeals are allowed partly.
- b. The appellants shall be entitled to receive rate of Rs.15,687/- per Are for fully irrigated land.

- c. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.
- d. The appellants shall be entitled to the interest under Section 28 and 34 of the Land Acquisition Act, 1894 as per full bench judgment of State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.)141].
- e. Save and except above modification, the impugned judgment and award shall stand unaltered.
- f. The appellants shall pay deficit court fees, if any.
- g. Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)