



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

99 FIRST APPEAL NO. 3274 OF 2025

BHARAT SHANKARRAO SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Adv. L. R. Thakur h/f. Adv. L. C. Patil, Advocate for Appellant

Adv. N. D. Raje, AGP for Respondent/s-State

Adv. Vijaya N. Bharkad h/f. Adv. V. P. Narwade, Advocate for Respondent No.3

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CORAM : SHAILESH P. BRAHME, J.

DATE : 28.01.2026

PER COURT :-

. Heard both sides. Taken up for final disposal with the consent of the parties.

2. Judgment and award dated 15.06.2019 passed in LAR No.215 of 2009 is questioned in the First Appeal.

3. Learned counsel for the appellant has pressed into service ground of parity by relying on common order dated 19.01.2026 passed in First Appeal No.2886 of 2025 with connected matters. It is submitted that the appellant is entitled to rate of Rs.1,25,000/- per hector considering the consistent view being taken in these matters.

4. Learned counsel for the respondents would contest the appeal. It

is submitted that the appellant has failed to make out a case for enhancement and the Reference Court has adequately granted the compensation.

5. The land under acquisition is from village Kolnoor, Taluka Mukhed, District Nanded which was acquired for 'Lendi' project. The notification under Section 4 was issued on 05.02.1998. The land is treated to be dry land which is not disputed by either of the parties.

6. 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	Covered matter court granted
3274/2025	215/2009	71/3	00H 85R	05.02.1998	13.06.2008	52672/- 61,967/- PH. 620/- per R	15801 (30% more than amount awarded by SLAO)	Dry Land 1,25,000/- per Hector Seasonally irrigated 1,87,500/- per Hector Perennially Irrigated 2,50,000/- per Hector

7. This Court has been taking consistent view in case of acquisitions of the lands from cluster of villages for 'Lendi' project in awarding rate of Rs.1,25,000/- per hector for dry land, Rs.1,87,500/- per hector for semi-irrigated land and Rs.2,50,000/- per hector for irrigated land. Present case is squarely covered by the consistent view taken by this Court. One such order is passed on 19.01.2026 in respect of acquisition of land from selfsame village and notification has been pressed into service. There is no difficulty in

awarding the rate of Rs.1,25,000/- per hector to the appellant. I, therefore, pass following order :

ORDER

- a. First Appeal is allowed.
- b. The appellant shall be entitled to the rate of Rs.1,25,000/- per hector for dry land.
- c. The appellant shall not be entitled to the interest and statutory benefits for the delayed period as well as lapses of 601 days.
- 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. The appellant shall pay the deficit court fees.
- f. Record and Proceeding be sent back to the Reference Court.
- g. Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)