



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 833 OF 2026

Sudam Ashruba Ghode

VERSUS

The State Of Maharashtra Through Dist. Collector, Jalna And Others

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Mr. P. B. Rakhunde, Advocate for Appellant

Mr. V. V. Jahagirdar, AGP for Respondent Nos. 1 and 2

Mr. V. P. Narwade, Advocate for Respondent No. 3

CORAM : SHAILESH P. BRAHME, J

DATE : MARCH 11, 2026

PC :

1. Appeal is taken up for disposal with consent of parties.
2. Appellant is questioning the judgment and award dated 05.05.2017 passed in LAR No. 75/2010. He is seeking enhancement of the rate of Rs.2500 per Are and additional benefit of escalation with cumulative effect relying upon the consistent view being taken by this Court in numerous matters. One of the common judgments rendered on 18.12.2025 is placed on record to support the claim of parity.
3. The Respondents have contested the Appeal. It is submitted that the ground of parity cannot be made applicable to the present case.
4. Appellant's land from village Salegaon stood acquired vide notification dated 10.12.1998 for Nimna Dudhana Project. This Court

already taken view in number of matter in awarding rate of Rs.2500 per are for acquisition for Nimnna Dudhana Project. The common order dated 18.12.2015 is emanating from acquisition of land from village Salegaon. In the present case, the land is dry land and there is no dispute for the classification. On the ground of parity, Appellant is also entitled to rate of Rs.3176 per Are. Present Appeal is squarely covered on the consistent view being taken in numerous matters. I, therefore, pass following order:

ORDER

- (a) Appeal is partly allowed.
- (b) Appellant shall be entitled to receive rate of Rs.3176 per Are.
- (c) Appellant shall not be entitled to receive interest and statutory benefits for the delayed period.
- (d) Appellant shall be entitled to receive interest U/Sec.28 and 34 of the Land Acquisition Act in view of the judgment of the Full Bench of this Court in the matter of **State of Maharashtra Vs. Kailash Shiva Rangari** [2016 AIR (Bom.) 141].
- (e) Save and except above modification, the impugned judgment and award shall remained unaltered.
- (f) Appellant shall pay the deficit Court fees.

- (g) Record and proceeding be sent back to the concerned Court.
- (h) Award be drawn up accordingly.
- (i) Pending civil application(s), if any, stands disposed of.

(SHAILESH P. BRAHME, J.)

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