



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

46 FIRST APPEAL NO. 1321 OF 2025

Dnyaneshwar Sakharam Pawar .. Appellant

Versus

The State of Maharashtra, through the
Collector Jalna and others .. Respondents

Shri Shubham M. Kakde, Advocate for the Appellant.
Shri A. R. Kale, Addl.G.P. for the Respondent Nos. 1 and 2.

AND

47 FIRST APPEAL NO. 1577 OF 2025

Ashok Bajirao Mundhe .. Appellant

Versus

The State of Maharashtra, through the
Collector Jalna and others .. Respondents

Shri Shubham M. Kakde, Advocate for the Appellant.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.

AND

48 FIRST APPEAL NO. 1578 OF 2025

Mahadev Punjaram Mundhe .. Appellant

Versus

The State of Maharashtra, through the
Collector Jalna and others .. Respondents

Shri Shubham M. Kakde, Advocate for the Appellant.
Mrs. P. V. Diggikar, A.G.P. for the Respondent Nos. 1 and 2.

AND

49 FIRST APPEAL NO. 3281 OF 2025

Ganesh Namdev Mundhe .. Appellant

Versus

The State of Maharashtra, through the
Collector Jalna and others .. Respondents

Shri Shubham M. Kakde, Advocate for the Appellant.
Shri C. V. Bhadane, A.G.P. for the Respondent Nos. 1 and 2.

CORAM : SHAILESH P. BRAHME, J.
DATE : 23RD APRIL, 2026.

FINAL ORDER :

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

3. Appellants are aggrieved by the distinct judgments and awards passed by the Reference Court in various land references awarding very inadequate compensation. The enhancement is sought on the ground of parity and especially referring to the order dated 08.04.2026 passed in First Appeal No. 3304 of 2025 passed by this Court. The enhancement is founded on rate of Rs. 4,199/- per R for dry land, Rs. 6,299/- per R for seasonally irrigated land and Rs. 8,398/- per R for irrigated land awarded in the above referred first appeal.

4. First Appeals are contested by the respondents on various grounds. It is submitted that no case is made out for further enhancement. There is no similarity of the lands. The ground of parity cannot be pressed into service. The appeals are liable to be dismissed.

5. Following are the relevant details.

F.A. 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			
								Jiray at	Semi irrigated	Irrigated	Potkhara ab
1321/2025	822/2013	432	00H 81R	29.05.2010	14.04.2011	Rs. 1510/- per R perennially irrigated	Rs. 4400/- per R for irrigated land			0H 81 R	
1577/2025	762/2013	435	00H 70R	29.05.2010	14.04.2011	Rs. 1250/- per R semi irrigated	Rs. 3300/- per R for semi irrigated		0H 70 R		
1578/2025	767/2013	434	01H 10R	29.05.2010	14.04.2011	Rs. 1250/- per R perennially irrigated	Rs. 4400/- per R for irrigated land			1H 10 R	
13281/2025	339/2013	431	00H 90R	29.05.2010	14.04.2011	Rs. 1510/- per R perennially irrigated	Rs. 2200/- per R for irrigated land			0H 90 R	

6. The lands of the appellants from village Belora, Tq. Mantha, Dist. Jalna stood acquired for percolation tank No. 07. The notification U/Sec. 4 of the Land Acquisition Act was issued on 29.05.2010. The rate awarded by the Special Land Acquisition Officer is Rs. 1,250/- per R for semi irrigated lands and Rs. 1,510/- per R for irrigated lands. Reference Court enhanced the rate at Rs. 3,300/- per R for semi irrigated land and Rs. 4,400/- per R for irrigated land by classifying the lands. The classification of lands is not in dispute in the present appeals.

7. This Court had an occasion to deal with similar type of

acquisition from self same village in First Appeal No. 3304 of 2025. Vide order dated 08.04.2026, considering the rate fixed in L. A. R. No. 334 of 2014, this Court fixed the rate at Rs. 4,199/- per R for dry land and Rs. 6,299/- per R for semi irrigated land enhanced the compensation. I have gone through the order placed on record. The appeals are squarely covered by the view taken by this Court. Appellants are entitled to the rate at Rs. 4,199/- per R for dry land, Rs. 6,299/- per R for seasonally irrigated land and Rs. 8,398/- per R for irrigated land.

8. In view of the judgment of the Supreme Court in the matters of Huchangouda Vs. Assistant Commissioner and Land Acquisition Officer reported in *(2020)19 SCC 236* and Ali Mohammad Beigh and others Vs. State of Jammu and Kashmir reported in *(2017) 4 SCC 717*, they are entitled to escalation at 10% per annum. In First Appeal No. 3304 of 2025, notification U/Sec. 4 of the L. A. Act was issued on 14.01.2008. Notification U/Sec. 4 of the L. A. Act in the present matters is issued on 29.05.2010. In that view of the matter, they are entitled to have escalation for two years with cumulative effect. The rate works out to be Rs. 7,622/- per R for semi irrigated land and Rs. 10,162/- per R for irrigated land.

9. I, therefore, pass following order.

O R D E R

a. The appellants shall be entitled to receive Rs. 7,622/- per R for semi irrigated land and Rs. 10,162/- per R for irrigated land,

considering the nature of their lands classified by the Reference Court.

b. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.

c. The appellants shall be entitled to receive 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 reported in *[2016 AIR (Bom.)141]*.

d. Save and except above modification, the impugned judgment and award shall stand unaltered.

e. Record and proceeding be sent back to the Reference Court, if any.

f. The appellants shall pay deficit court fees, if any.

g. Award be drawn accordingly.

[SHAILESH P. BRAHME J.]

bsb/April 26