



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

31 FIRST APPEAL NO. 336 of 2025

Shankar Kalu Girase
Since deceased through his L.Rs.
Gorakh shankar Girase and others .. Appellants

Versus

The Collector, Collector Office,
Dhule and others .. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

AND

32 FIRST APPEAL NO. 337 of 2025

Karan Govinda Girase .. Appellant

Versus

The Collector (Land Acquisition) No. 1,
Medium Irrigation Project Dhule
and others .. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 1 and 3.
Shri Ajay D. Pawar, Advocate for the Respondent No. 2.

AND

33 FIRST APPEAL NO. 580 of 2025

Nathesingh Onkar Girase .. Appellant

Versus

The Collector Dhule and others .. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.

Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

AND
34 FIRST APPEAL NO. 581 of 2025

Komal Bhimsing Girase	.. Appellant
Versus	
The Collector, Collector Office Dhule and others	.. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

AND
35 FIRST APPEAL NO. 587 of 2025

Ramsing Shamsing Girase	.. Appellant
Versus	
The Collector Dhule and others	.. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

AND
37 FIRST APPEAL NO. 589 of 2025

Sushmbai Ramsing Girase	.. Appellant
Versus	
The Collector, Collector Office Dhule and others	.. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

AND
38 FIRST APPEAL NO. 591 of 2025

Ramsing Shamsing Girase	.. Appellant
Versus	
The Collector Dhule and others	.. Respondents

Shri K. M. More, Advocate a/w Shri Firoj Ahmad Shirpurkar and
Shri Jay R. Paundale, Advocates for the Appellant.
Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 1 and 2.
Shri Ajay D. Pawar, Advocate for the Respondent No. 3.

CORAM : SHAILESH P. BRAHME, J.
DATE : 28TH JANUARY, 2026.

FINAL ORDER :

- . Heard both sides finally.
2. These appeals can be disposed of by common order relying on earlier decisions rendered by the Coordinate Benches arising out of self same acquisition proceedings.
3. The acquisition is in respect of house properties from village Divi, Tq. Sindhkheda, Dist. Dhule. Notification U/Sec. 4 of the Land Acquisition Act was issued on 30.03.2010. Award was passed on 18.05.2013. Appellants have produced on record valuation reports. The valuer was also examined. The Reference Court accepted valuation reports to the extent of 75%.
4. Learned counsel for the appellants has placed on record the consistent view taken by this Court in awarding compensation by

accepting 85% of the rate given by the private valuer. According to him common order dated 05.12.2025 passed in First Appeal No. 2071 of 2024 with other connected matters covers the present matters.

5. Learned counsel for the acquiring body would oppose the submissions. It is submitted that 85% of the rate given by the valuer cannot be the rule of thumb. In a settlement before the Lok Adalat that formula was accepted and that cannot be made applicable in the present matters.

6. I have considered rival submissions of the parties.

7. While disposing of first appeal in Lok Adalat held on 08.02.2020 the formula of accepting rate to the extent of 85% of the valuation report was adopted. It is further followed in batch of appeals decided on 27th April, 2023 and the same has been consistently followed while disposing of other first appeals. In identical situation when house properties from self same village, under self same notification were acquired, this Court vide common order dated 05.12.2025 enhanced the compensation by accepting the report of valuation to 85%. I find there is no difficulty in accepting the said formula, otherwise the approach would be discriminatory.

8. The Reference Court in the impugned judgment unnecessarily deducted 10% from the valuation report. Therefore,

valuation report is accepted to the extent of 75% only instead of 85%. The difference is writ large. The deduction of 10% is arbitrary and against law laid down by this Court as referred above.

9. Following material particulars are eloquent to show the total valuation and its 85%

Sr. No.	First Appeal No.	Valuation Report Exhibit	Amount of valuation report	85% of the valuation report
1	336/2025	44/C	Rs. 6,65,000/-	Rs. 5,65,250/-
2	337/2025	26/C	Rs. 4,57,000/-	Rs. 3,88,450/-
3	580/2025	34	Rs. 3,04,000/-	Rs. 2,58,400/-
4	581/2025	39/C	Rs. 4,32,000/-	Rs. 3,67,200/-
5	587/2025	40/C	Rs. 5,12,000/-	Rs. 4,35,200/-
6	589/2025	31/C	Rs. 2,66,000/-	Rs. 2,26,100/-
7	591/2025	28/C	Rs. 6,26,000/-	Rs. 5,32,100/-

10. As stated in above referred chart, the appellants are entitled to receive 85% of the valuation report shown in last column in each appeal. It is desirable to allow first appeals.

11. I, therefore, pass following order.

O R D E R

a. All these appeals are partly allowed.

b. Appellants are entitled to receive compensation in following

manner :

- i) In First Appeal No. 336 of 2025, the appellant is entitled to receive Rs. 5,65,250/-.
 - ii) In First Appeal No. 337 of 2025, the appellant is entitled to receive Rs. 3,88,450/-.
 - iii) In First Appeal No. 580 of 2025, the appellant is entitled to receive Rs. 2,58,400/-.
 - iv) In First Appeal No. 581 of 2025, the appellant is entitled to receive Rs. 3,67,200/-.
 - v) In First Appeal No. 587 of 2025, the appellant is entitled to receive Rs. 4,35,200/-.
 - vi) In First Appeal No. 589 of 2025, the appellant is entitled to receive Rs. 2,26,100/-.
 - vii) In First Appeal No. 591 of 2025, the appellant is entitled to receive Rs. 5,32,100/-.
- c. The respondent – acquiring body shall pay the interest under Section 28 of the Land Acquisition Act from the date of award.
- d. The respondent – acquiring body shall deposit the amount of enhanced compensation as aforesaid, within a period of one year from the date of this order directly in Reference Court and on such deposit, all these appellants – claimants are permitted to withdraw their respective amounts of compensation along with the interest.

- e. In case the payment is delayed by the respondent – acquiring body even after period of one year then it shall carry the statutory interest till its realization.
- f. The concerned appellants – claimants are directed to pay deficit Court fees, if any, at the time of modification of award.
- g. The awards be modified accordingly.
- h. Appellants shall not be entitled to interest and statutory benefits for the delayed period in the respective appeals.
- i. Record and proceedings shall be sent back.

[SHAILESH P. BRAHME J.]

bsb/Jan. 26