



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

44 FIRST APPEAL NO. 826 OF 2026

ATMARAM S.PATIL DIED THR LRS INDUBAI DIED THR LRS
MANOHAR DIED THR LRS SUNITA M SONAWANE AND ORS
VERSUS

THE DISTRICT COLLECTOR JALGAON AND ORS

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Advocate for Appellants : Ms. S. A. Kale h/f Mr. Kale Ajeet B.

AGP for Respondent/s-State : Mr. S. N. Morampalle.

Advocate for Respondent No.3 : Mr. Sandesh R. Patil.

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AND

45 FIRST APPEAL NO. 827 OF 2026

LAXMAN KAUTIK CHINCHOLE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR
JALGAON AND ORS

...

Advocate for Appellants : Ms. S. A. Kale h/f Mr. Kale Ajeet B.

AGP for Respondent/s-State : Mr. N. D. Raje.

Advocate for Respondent No.3 : Mr. D. D. Pokharkar.

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AND

48 FIRST APPEAL NO. 834 OF 2026

RAMDAS TUKARAM KALBAILE

VERSUS

THE SPECIAL LAND ACQUISITION OFFICER-1 U.T.PH.
JALGAON AND ANR

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Advocate for Appellants : Ms. S. A. Kale h/f Mr. Kale Ajeet B.

AGP for Respondent/s-State : Mr. S. N. Morampalle.

Advocate for Respondent No.2 : Mr. D. D. Pokharkar.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.03.2026

PER COURT :-

1. Heard both sides.
2. Appellants are taking exception to the judgment and award passed by the Reference Court in respective references. They are claiming enhancement of the compensation on the ground of parity seeking reliance on the consistent view taken in number of judgments. The copy of order date 04.12.2025 is placed on record to corroborate the claim.
3. Respondents are contesting the submissions of the appellants. They would submit that no case is made out for the enhancement. The ground of parity is not attracted in the present appeals.
4. The house properties from village Khadgaon, Taluka Jamner, District Jalgaon stood acquired for Waghur Project vide notification dated 01.01.1998. SLAO offered rate ranging from Rs.22/- to Rs.48/- per sq.mtr. The Reference Court accepted the reports of the private valuer Mr. Baser to the extent of 75%.
5. Appeals are squarely covered by the consistent view being taken by this court in awarding compensation by accepting the report of private valuer to the extent of 85%. The private valuer had submitted report before the Reference

Court is undisputed facts. The Reference Court committed error of jurisdiction in accepting the report to the extent of 75% only instead of 85%. This Court has been consistent in following the same view which is evident from order dated 04.12.2025 passed in FA.No.3484 of 2023. I, therefore, pass following order :

ORDER

- (i) First appeals are allowed partly.
- (ii) The appellants shall be entitled to have the compensation to the tune of 85% of the report of the private valuer.
- (iii) The appellants shall not be entitled to interest and statutory benefits for the delayed period.
- (iv) The appellants shall be entitled to interest under Section 28 and 34 of the Land Acquisition Act as per law laid down in the judgment of Full Bench in ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***.
- (v) Save and except above modification. Impugned judgment and award passed by Reference Court shall stand unaltered.
- (vi) The appellants shall pay deficit court fees, if any.
- (vii) Record and proceeding be sent back to the concerned Court, if any.

(viii) Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)

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