



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

FIRST APPEAL NO. 1074 OF 2025

Shriram Tukaram Khavne .. Appellant

Versus

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

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

CORAM : SHAILESH P. BRAHME, J.
DATE : 06TH APRIL, 2026.

FINAL ORDER :

. Heard both sides finally with their consent.

2. Appellant is challenging judgment and award passed by the Reference Court awarding rate of Rs. 4,200/- per R. It is submitted by the learned counsel Mr. S. M. Kakade that this Court has already taken view in awarding rate of Rs. 3,700/- per R for dry land, which was fixed in L. A. R. No. 608 of 2011. The rate was accepted by this Court in deciding group of appeals on 27.02.2026. The compilation is placed on record in respect of the submissions.

3. Learned Additional Government Pleader Mr. Kale appearing for the respondents – State repels the submissions by

contending that Reference Court has awarded reasonable compensation. Appellant has failed to make out any case on the ground of parity for further enhancement.

4. Appellant's land is acquired from village Devgaon Khavne, Tq. Mantha for percolation tank No. 6. Same is treated to be perennially irrigated land, which is not disputed in the present appeal.

Following are the material particulars :

Sr. No.	First Appeal	L. A. R. No.	Gut No.	Acquired Area	Date of Notification U/Sec. 4	Date of Award U/Sec. 11	Rate granted by the SLAO	Rate awarded by the Reference Court Perennially Irrigated
1	1074/2025	1041/2010	130 363	0H 90R	28.04.2006	15.12.2007	Rs. 870/- Per R	Rs. 4200/ per R

5. This Court has taken consistent view in accepting rate of Rs. 3,700/- per R for dry land as it was done in L. A. R. No. 608 of 2011. The rate was adopted in case of acquisitions of lands from village Deogaon Khavne. By common judgment dated 27.02.2026 passed in First Appeal No. 3292 of 2025 rate of Rs. 5,960/- per R was awarded for the dry land. I find that present appeal is squarely covered by the consistent view taken by this Court.

6. Appellant is entitled to receive rate of Rs. 3,700/- per R for the dry land. Undisputedly lands under acquisition are perennially irrigated lands. Appellant is entitled to receive rate of Rs. 7,400/- per R for perennially irrigated lands.

7. In First Appeal No. 3077 of 2025 the notification was issued on 26.08.2004. Considering the date of notification in the present case, he is entitled to have benefit of escalation at the rate of 10% per annum for one year. The rate, thus worked out to be Rs. 8,140/- per R for perennially irrigated land. I therefore pass following order.

O R D E R

- A. The first appeal is partly allowed.
- B. Impugned judgment and order is modified to the extent that the appellant – claimant shall be entitled to rate of Rs. 8,140/- per R for perennially irrigated land.
- C. The appellant shall not entitled to interest and statutory benefit for the delayed period.
- D. The appellant shall be entitled to interest U/Sec. 28 and 34 of the L. A. Act is payable from the date of final award as per the judgment of the Full Bench of this Court in the matter of **the State of Maharashtra Vs. Kailas Shiva Rangari** reported in **2016(4) All MR 513**.
- E. Save and except above, impugned judgment and award shall stand unaltered.
- F. Appellant shall pay the deficit court fees.
- G. Award be drawn up accordingly.

[SHAILESH P. BRAHME J.]