IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

47 FIRST APPEAL NO. 1826 OF 2025

Ramrao Trimbak Barkule
Since deceased through his L.Rs.
Prayag Ramrao Barkule and another .. Appellants

Versus

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

AND
48 FIRST APPEAL NO. 1859 OF 2025

Ankush Rambhau Barkule .. Appellant

Versus

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

AND
49 FIRST APPEAL NO. 1860 OF 2025

Sk. Abdul Sk. Raju .. Appellant

Versus

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

AND
50 FIRST APPEAL NO. 1862 OF 2025

Janardhan Appasaheb Barkule .. Appellant

Versus

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

AND
51 FIRST APPEAL NO. 1907 OF 2025

Ganesh Prabhakar Barkule

Since deceased through his L.Rs.
Jayshri Ganesh Barkule and another .. Appellants
Versus
The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

AND
52 FIRST APPEAL NO. 1908 OF 2025

Babu Dadabhau Barkule .. Appellant
Versus
The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

AND
53 FIRST APPEAL NO. 1909 OF 2025

Narayan Shrirang Tathe .. Appellant
Versus
The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

AND
54 FIRST APPEAL NO. 1911 OF 2025

Laxmibai Janardhan Barkule .. Appellant
Versus
The State of Maharashtra, through the
Collector, Jalna and others .. Respondents

AND
55 FIRST APPEAL STAMP NO. 679 OF 2024

Muktiram Raybhan Barkule .. Appellant
Versus
The State of Maharashtra, through the
Collector Jalna and others .. Respondents

AND
56 FIRST APPEAL STAMP NO. 763 OF 2024

Limbaji Keruji Salve .. Appellant

Versus

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

Shri Shubham M. Kakde, Advocate for the Appellants in all matters.
Shri S. V. Hange, Shri G. O. Wattamwar and Shri S. B. Narwade, A.G.P. for the Respondent Nos.1 and 3 in respective matters.
Mrs. Manjushri V. Narwade, Advocate h/f Shri Vinayak P. Narwade, Advocate for the respondent No. 2 in all matters.

CORAM : SHAILESH P. BRAHME, J.
DATE : 07TH MAY, 2026.

FINAL ORDER :

. Taken up for final disposal with the consent of the parties.

2. The appellants are challenging distinct judgments and awards passed by Reference Court in various reference petitions. Appellants lands from village Khandviwadi, Tq. Partur, Dist. Jalna stood acquired for percolation tank No. 3 vide notification U/Sec. 4 of the Land Acquisition Act dated 22.06.2011.

3. Learned counsel for the appellants would submit that appellants are entitled to enhancement relying upon consistent view being taken by this Court in various matters namely First Appeal No. 3413 of 2025 decided on 02.02.2026. He is seeking enhancement of rate to the tune of Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for semi irrigated land.

4. Learned counsel for the respondent No. 2 – acquiring body would contest the submissions. It is contended that no case is made out for any further enhancement and 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			
								Jirayat	Semi irrigated	Irrigated	Potkharab
1826/2025	636/2012	256	00H 46R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	00 H 46 R			
1859/2025	593/2012	214	00H 12R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 4909/- per R		00 H 12 R		
1860/2025	5622012	219	00H 34R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	00 H 34 R			
1862/2025	561/2012	216	00H 61R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	00 H 61 R			
1907/2025	590/2012	198	00H 13R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 4909/- per R		0H 13 R		
1908/2025	645/2012	210	00H 61R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	0H 61 R			
1909/2025	559/2012	211 212	00H 67R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	0H 67 R			
1911/2025	560/2012	215	00H 24R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 3273/- per R	0H 24 R			
St. 679/2024	622/2012	209 220	01H 89R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 4909/- per R		1H 89		

									R		
St. 763/2024	582/2012	199	01H 42R	22.06.2011	05.12.2011	Rs. 2250/- per R	Rs. 4909/- per R		1H 42 R		

6. The Special Land Acquisition Officer offered rate of Rs. 2,250/- per R for dry as well as semi irrigated lands. It was enhanced to Rs. 3,273/- per R for dry lands and Rs. 4,909/- per R for semi irrigated lands by the Reference Court. Appellants have placed on record order dated 16.04.2026 in First Appeal No. 1906 of 2025 and order dated 02.02.2026 passed in First Appeal No. 3413 of 2025. In First appeal No. 3413 of 2025, land from village Daithna, Tq. Partur was acquired vide notification dated 01.09.2000. The Reference Court had awarded rate of Rs. 1,100/- per R as it was dry land. Relying upon the rate fixed at Rs. 2,400/- per R for dry land, Rs. 3,600/- per R for semi irrigated land and Rs. 4,800/- per R for irrigated land by Reference Court in L. A. R. No. 269 of 2014 enhancement is granted by adding escalation with cumulative effect.

7. I find that village Khandviwadi and Daithna share boundaries. The rate adopted in First Appeal No. 3413 of 2025 can be applied in the present cases also on the ground of parity. The appellants are entitled to have rate of Rs. 2,400/- per R for dry land and Rs. 3,600/- per R for semi irrigated land. They are also entitled to have benefit of escalation by cumulative effect considering the time gap from 26.12.1996, which was date of issuance of notification U/Sec. 4 of the L. A. Act in L. A. R. No. 269 of 2014 and 22.06.2011, the date of notification in the

present appeals in view of the judgments 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*. escalation at 10% per annum by cumulative effect is extended to the appellant. The rate works out to be Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for semi irrigated land.

9. For the reasons stated above, I, therefore, pass following order.

O R D E R

a. The appellants shall be entitled to receive rate of Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for seasonally irrigated land, considering the nature of their lands as 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. The appellant shall pay deficit court fees, if any.

f. Award be drawn accordingly.

[SHAILESH P. BRAHME J.]

bsb/May 26