



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

FIRST APPEAL NO. 2924 of 2025

MAHADEO KISANRAO KAVHALE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
OTHERS**

...

Advocate for Appellant : Mr. V.D. Bhise

A.G.P for Respondent/State : Mr. S.N. Morampalle

Advocate for Respondent-Acquiring Body : Mr. R.K. Ingale

CORAM : SHAILESH P. BRAHME, J.

DATE : 19.01.2026

PER COURT :

Heard both sides.

2. The appellant is questioning judgment and award passed by the Reference Court and claiming enhancement to Rs. 2400/- per Are. Reliance is placed on judgment dated 05.01.2026 passed in First Appeal No. 1896/2021.

3. Respondents have contested the appeal on various grounds.

4. The appellant's land has been acquired for Ninma Dudhna Project and it was from village Kedarwakadi Tq. Mantha, Dist. Jalna.

4. Following are the material particulars:

Sr. No.	First Appeal No.	L.A.R. No.	Gat No.	Total area	U/sec.4 notification date	U/sec.11 Award date	SLAO rate per R as per Award	Reference Court enhanced rate per R	Type of land reference court awarded area in R <u>Dry land</u>
1)	2924/2025	157/2012	21/2	5H 51 R <u>0H 9R</u> 5H 60 R	13.05.1995	31.03.1999	Rs. 690/-	Rs.1500/-	5H 51R dry land

5. This Court has taken consistent view in awarding rate of Rs. 2400/- per Are, which is *inter alia* relied in the order cited by the appellant. In that case also land from village Kedarwakadi was acquired. The notification under section 4 in the present case is of 13.05.1995. It would be in the interest of justice considering a deduction for 8 months at the rate of 10% per annum to award Rs. 2400/- per Are for dry land. I, therefore, pass following order.

ORDER

- (i) First Appeal is allowed partly.
- (ii) The appellant shall receive the compensation at the rate of Rs. 2400/- per Are for dry land.
- (iii) The appellant shall not be entitled to claim interest and statutory benefits for the delayed period.
- (iv) 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 in the matter of **State of Maharashtra Vs. Kailas Shiva Rangari reported in 2016(4) All MR 513.**
- (v) Save and except above, rest of the impugned judgment and award shall stand unaltered.
- (vi) The appellant shall pay deficit court-fees.
- (vii) Award be drawn accordingly.
- (viii) Record and proceedings be sent back to the concerned Court.

(SHAILESH P. BRAHME, J.)

mkd/-