



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 FIRST APPEAL NO. 286 OF 2026

KAILAS KISANRAO KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.

AGP for Respondent nos 1 & 2 : Mr. G. O. Wattamwar

...

7 FIRST APPEAL NO. 287 OF 2026

URMILABAI KAILASRAV KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.

AGP for Respondent nos 1 & 2 : Mr. N. R. Dayma

...

8 FIRST APPEAL NO. 288 OF 2026

SUKHDEV LAKSHMAN KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

...

Advocate for Appellant : Mr. Kakde S.M.

AGP for Respondent nos 1 & 2 : Mr. S. V Hange

...

9 FIRST APPEAL NO. 290 OF 2026

SUBHASH VITTHALRAO KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.

AGP for Respondent nos 1 & 2 : Mrs. P. V. Diggikar

...

10 FIRST APPEAL NO. 291 OF 2026

VISHNU LAKSHMAN KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mr. C. V. Bhadane

...

11 FIRST APPEAL NO. 292 OF 2026

KHUSHAL KISANRAO KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

...

Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mr. G. O. Wattamwar

...

12 FIRST APPEAL NO. 293 OF 2026

UTTAM KISANRAO KHANWANE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.
Addl.GP for Respondent nos 1 & 2 : Mr. A. R. Kale

...

13 FIRST APPEAL NO. 304 OF 2026

BABASAHEB LAKSHAMAN KHAVNE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...

Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mr. N R. Dayma

...

14 FIRST APPEAL NO. 305 OF 2026

VITTHAL RAMRAV KHAVNE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, JALNA AND ORS

...
Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mrs. P.V. Diggikar

...
15 FIRST APPEAL NO. 306 OF 2026

BHANUDAS S/O VITTHAL KHAVNE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, JALNA AND
ORS

...
Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mr. C. V. Bhadane

...
16 FIRST APPEAL NO. 307 OF 2026

BALASAHEB LAKSHMAN KHAVNE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

...
Advocate for Appellant : Mr. Kakde S.M.
AGP for Respondent nos 1 & 2 : Mr. G. O. Wattamwar

...

CORAM : SHAILESH P. BRAHME, J.
DATE : 26.03.2026

PER COURT :-

- . Heard both sides.
2. These appeals can be decided by common judgment and order because the issue involved is already settled and covered by decision rendered in First

Appeal No. 3292/2025 on 27.02.2026.

3. The appellants are challenging the judgment and award passed by the Reference Court in the respective reference applications. Their lands were acquired for percolation tank No. 17 which were from village Devgaon Khavne Tq Mantha, Dit. Jalna vide notification under Section 4 of the L.A. Act on 25.04.2012. The Spl. L.A.O. had offered rate of Rs. 2000/- per Are for dry land. The Reference Court enhanced the rate to Rs. 4800/- per Are for dry land and Rs. 7200/- per Are for semi irrigated land. They are claiming enhancement to the tune of Rs. 7212/- per Are for for dry land and Rs. 10818/- per Are for semi-irrigated land, relying upon consistent view being taken by this Court.

5. Following are the material particular of the appeal :

FA 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	Pot kharab
286/2026	52/2014	619	40-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	40-R			
287/2026	47/2014	619	50-R	25.04.2012	06.02.2013	Rs.2000/-	Rs./4800/-	50-R			
288/2026	95/2014	620	40-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	40-R			
290/2026	54/2014	616	10-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	10-R			
291/2026	74/2014	620	30-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.7200/-		0H 30R		
292/2026	81/2024	619	81-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	81-R			
293/2026	82/2014	619	40-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	40-R			
304/2026	50/2014	620	30-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	30-R			
305/2026	49/2014	616	10-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.7200/-		0-H 10R		
306/2026	80/2014	616	10-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	0H 10R			
307/2026	53/2014	620	40-R	25.04.2012	06.02.2013	Rs.2000/-	Rs.4800/-	40-R			

4. The learned A.G.P opposes the submissions. It is submitted that ground of parity has not made out. The Reference Court has granted reasonable enhancement and the appeals are liable to be dismissed.

5. The classification of the lands is not in dispute. The lands from village Devgaon Khavne have been acquired. Previously also this Court had occasion to deal with the acquisitions of the lands from the self-same village. In First Appeal No. 3292/2025 with connected matters, this Court awarded rate of Rs. 5960/- per Are for dry land, as the notification in that case was issued on 26.01.2010. In the present case the notification is issued on 25.04.2012.

6. I find that present appeals are squarely covered by the consistent view being taken by this Court. The rate fixed by this Court in First Appeal No. 3292/2025 can be made applicable subject to additional benefit of escalation with cumulative effect. The applicants are entitled to have escalation for two years at the rate of Rs. 10% per annum. Considering the escalation, the rate works out to Rs. 7212/- per Are for dry land and Rs. 10818/- per Are for semi irrigated land. I, therefore, pass following order.

ORDER

- a. First Appeals are allowed partly.
- b. The appellants shall be entitled to receive rate of Rs.7212/- per Are for dry land and Rs. 10818/- per are for semi-irrigated land.
- c. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.

- d. The appellants shall be entitled to 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 [2016 AIR (Bom.)141].
- e. Save and except above modification, the impugned judgment and award shall stand unaltered.
- f. Record and Proceeding be sent back to the Reference Court.
- g. The appellants shall pay deficit court fees.
- h. Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)