



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

FIRST APPEAL STAMP NO. 26264 OF 2024

Kashinath Manohar Rajbinde
Since deceased through his L.Rs.
Dwarka Kashinath Rajbinde and others .. Appellants

Versus

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

WITH

FIRST APPEAL STAMP NO. 6019 OF 2022

Devidas Bhaurao Karpe
Since deceased through his L.Rs.
Chaturabai Karpe and others .. Appellants

Versus

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

WITH

FIRST APPEAL STAMP NO. 6013 OF 2022

Sopan Bapurao Rajbinde
Since deceased through his L.Rs.
Ramkala Sopan Rajbinde and others .. Appellants

Versus

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

WITH

FIRST APPEAL STAMP NO. 2346 OF 2024

Shivaji Govindrao Panage .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 2340 OF 2024**

Vikram Babpurao Choudhary
and another .. Appellants

Versus

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

**WITH
FIRST APPEAL STAMP NO. 24695 OF 2025**

Prakash Babasaheb Kharat .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 24688 OF 2025**

Indar Babasaheb Kharat .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 2354 OF 2024**

Sundar Abhiman Rajbinde
Since deceased through his L.Rs.
Indrabai and others .. Appellants

Versus

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

**WITH
FIRST APPEAL STAMP NO. 1761 OF 2024**

Shahurao Bapurao Rajbinde .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 1934 OF 2024**

Asaram Shrirangrao Chavhal .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 2345 OF 2024**

Govind Ashroba Panage .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 2353 OF 2024**

Dinkar Tryambak Rajbinde .. Appellant

Versus

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

**WITH
FIRST APPEAL STAMP NO. 26261 OF 2024**

Rustum Bapurao Rajbinde .. Appellant

Versus

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

**WITH
FIRST APPEAL NO. 480 OF 2026**

Datta Rangnath Rajbinde .. Appellant

Versus

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

**WITH
FIRST APPEAL NO. 476 OF 2026**

Maroti Anna Rajbinde .. Appellant

Versus

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

Shri D. A. Bide, Advocate for the Appellants in all matters.

Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2 in all matters.

Shri S. G. Bhalerao, Advocate for the respondent No. 3 in all matters.

CORAM : SHAILESH P. BRAHME, J.

DATE : 18TH APRIL, 2026.

FINAL ORDER :

- . Taken up for final disposal with the consent of the parties.
2. Appellants have taken exception to the judgment and award passed by the Reference Court and they are relying upon the consistent view being taken by this Court in various matters. They have placed on record compilation of relevant documents and judgments for pressing into service ground of parity.
3. Learned counsel appearing for the respondent – acquiring body would contest the submissions. It is submitted that already adequate enhancement has been granted by the Reference Court.

Appellants have failed to make out any case for further enhancement. The ground of parity is not available to the appellants.

4. Appellants lands from village Shridhar Jawale, Tq. Partur, Dist. Jalna stood acquired by notification dated 02.01.1999. The acquisition is for Nimna Dudhna Project. The rate offered by the Land Acquisition Officer was inadequate and appellants preferred references. The Court by impugned judgment enhanced the rate to Rs. 2,500/- per R for dry land, Rs. 3,750/- for seasonal irrigated land and Rs. 5,000/- per R for irrigated land. The classification of the lands is not disputed in the present cases.

5. Following are the material particulars.

F.A. St. 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	Potkhara b
26264/2024	953/2010	176/1	01H 21R	02.01.1999	25.01.2002	Rs. 666/- per R	Rs. 2500/- per R	01H 21R			
2346/2024	148/2010	5/2	0H 66R	02.01.1999	25.01.2002	Rs. 735/- per R	Rs. 2500/- per R	66R			
2354/2024	255/2010	139/1	1H 38R	02.01.1999	25.01.2002	Rs. 701/- per R	Rs. 2500/- per R	1H 38R			
2353/2024	603/2010	190/2	60R	02.01.1999	25.01.2002	Rs. 767/- per R	Rs. 2500/- per R	60R			
2345/2024	753/2010	2 3	48R 10R PK 20R 02R	02.01.1999	25.01.2002	Rs. 729/- per R Rs. 727/-	Rs. 2500/- per R	48R 20R			10 02

			PK			per R					
2340/2024	1159/2010	199	1H 21R	02.01.1999	25.01.2002	Rs. 751/- per R	Rs. 2500/- per R	1H 21R			
1761/2024	776/2010	135/1 137 192/3	07R 61R 59R	02.01.1999	25.01.2002	Rs. 635/- Rs. 741/- Rs. 753/- per R	Rs. 5000/- Rs. 3750/- Rs. 2500/- per R	59R	61R	07 R	
1934/2024	172/2010	190/3 21	17R 25R	02.01.1999	25.01.2002	Rs. 767/- Rs. 1484 per R	Rs. 2500/- Rs. 5000/- per R	17R		25 R	
24688/2025	170/2010	101	43R	02.01.1999	25.01.2002	Rs. 565/- per R	Rs. 2500/- per R	43R			
24695/2025	1172/2010	102	64R	02.01.1999	25.01.2002	Rs. 565/- per R	Rs. 2500/- per R	64R			
26261/2024	942/2010	138/2 139/2 192/2	58R 39R 19R	02.01.1999	25.01.2002	Rs. 715/- Rs. 701/- Rs. 753/- per R	Rs. 2500/- Rs. 3750/- per R	8\$R	32R		
6013/2022	171/2010	135/2 138/1 192/1	05R 58R 39R	02.01.1999	25.01.2002	Rs. 1270 Rs. 715/- Rs. 753/- per R	Rs. 5000/- Rs. 3750/- per R	97R		05 R	
6019/2022	1012/2010	136 14/1 10/2 8 134	51R 60R 20R 88R 36R	02.01.1999	25.01.2002	Rs. 745/- Rs. 733/- Rs. 1476/- Rs. 753/- Rs. 635/- per R	Rs 2500/- Rs. 5000/-	2H 29R		26 R	
F.A. No. 476/2026	260/2010	176/3 175 176/4	41R 1H 22R 10R	02.01.1999	25.01.2002	Rs. 666/- Rs. 707/- Rs. 666/-	Rs. 2500/- per R	41R 1H 22R 10R			
F.A. No. 480/2026	151/2010	88	61R	02.01.1999	25.01.2002	Rs. 798/-	Rs. 2500/- per R	61R			

6. I have gone through the impugned judgment and award. I have also considered judgments produced on record to disclose consistent view being taken by this Court in case of acquisition of lands from cluster of villages for the purpose of Nimna Dudhna Project. This Court had an occasion to pass reasoned order in the matter of **Pralhad Annasaheb Nirval Vs. State of Maharashtra and others in First Appeal No. 1778 of 2024 vide judgment dated 11.12.2025** granting rate of Rs. 2,500/- per R for dry land, Rs. 3,750/- per R for seasonal irrigated land,

Rs. 5,000/- per R for irrigated land and Rs. 1,250/- per R for pot kharat land. The same view has been consistently followed by this Court in enhancing the compensation. A common order dated 26.02.2026 passed by this Court in First Appeal No. 478 of 2026 with other connected matters in respect of acquisition of lands from self same village, under self same notification and award is also annexed fixing rate of Rs. 3,268/- per R for dry land, Rs. 4,902/- per R for semi irrigated land and Rs. 6,536/- per R for irrigated land. Appellants are also entitled to benefit of escalation with cumulative effect.

6. Present appeals are squarely covered by the consistent view and consistently last common order passed in First Appeal No. 478 of 2026 and other connected matter. I, therefore, pass following order :

O R D E R

a. The appellants shall be entitled to receive Rs. 3,268/- per Are for dry land, Rs. 4,902/- per R for seasonally irrigated land, Rs. 6,536/- per Are and Rs. 1,634/- per R for pot kharat for irrigated land, considering the nature of their lands 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. Record and proceeding be sent back to the Reference Court, if any.

f. The appellants shall pay deficit court fees, if any.

g. Award be drawn accordingly.

h. The appellants shall be at liberty to approach the competent authority for claiming rental compensation which shall be decided in accordance with law.

[SHAILESH P. BRAHME J.]

bsb/April 26