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

**922 FIRST APPEAL NO. 418 OF 2026
WITH
CIVIL APPLICATION NO. 3571 OF 2025**

The Executive Engineer, Central Railway, Pune and others .. Appellants
Versus
Subhash Narayan Gore and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Ram B. Deshpande, Advocate for the Respondent Nos. 1 to 4-A to 4-C and 5.

**AND
923 FIRST APPEAL NO. 3530 OF 2025**

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Nagurao Raosaheb Rathod and another .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Shashikant E. Shekade, Advocate for the Respondent Nos. 1 and 2.

**AND
924 FIRST APPEAL NO. 502 OF 2026
WITH
CIVIL APPLICATION NO. 7079 OF 2024**

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Suryabhan Tabaji Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
924 FIRST APPEAL NO. 510 OF 2026
WITH
CIVIL APPLICATION NO. 7092 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Tukaram Pandurang Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Ms. G. R. Jagtap and Shri C. K. Shinde, Advocate for the Respondent.

WITH
924 FIRST APPEAL NO. 507 OF 2026
WITH
CIVIL APPLICATION NO. 7075 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Santosh Manik Sonwane .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde, Advocate for the Respondent.

WITH
924 FIRST APPEAL NO. 506 OF 2026
WITH
CIVIL APPLICATION NO. 7073 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus

Uttam Sadhu Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Ms. G. R. Jagtap and Shri C. K. Shinde, Advocate for the Respondent.

WITH
924 FIRST APPEAL NO. 503 OF 2026
WITH
CIVIL APPLICATION NO. 7077 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Shivaji Babu Waghmare .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
924 FIRST APPEAL NO. 504 OF 2026
WITH
CIVIL APPLICATION NO. 7082 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Deorao Babu Waghmare .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
924 FIRST APPEAL NO. 505 OF 2026
WITH
CIVIL APPLICATION NO. 7095 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants

Versus
Dwarkabai Sakharam Dhodge .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
924 FIRST APPEAL NO. 508 OF 2026
WITH
CIVIL APPLICATION NO. 7088 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Murlidhar Sadhu Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
924 FIRST APPEAL NO. 509 OF 2026
WITH
CIVIL APPLICATION NO. 7085 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Bhau Babu Waghmare .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
925 FIRST APPEAL NO. 511 OF 2026
WITH
CIVIL APPLICATION NO. 7197 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus

Ajinath Changu Jadhav and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
925 FIRST APPEAL NO. 513 OF 2026
WITH
CIVIL APPLICATION NO. 7189 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Subhash Rangnath Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. G. R. Jagtap, Advocate for the Respondent.

WITH
925 FIRST APPEAL NO. 514 OF 2026
WITH
CIVIL APPLICATION NO. 7191 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Babasaheb Bhau Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. Jagtap, Advocate for the Respondent.

WITH
925 FIRST APPEAL NO. 515 OF 2026
WITH
CIVIL APPLICATION NO. 7195 OF 2024

Union of India, thorugh the General

Manager, Central Railway, Mumbai
and others .. Appellants

Versus

Nana Sona Jadhav and another .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. Jagtap, Advocate for the Respondent Nos. 1 and 2.

WITH
925 FIRST APPEAL NO. 517 OF 2026
WITH
CIVIL APPLICATION NO. 7199 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants

Versus

Ramdas Rangnath Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. Jagtap, Advocate for the Respondent.

WITH
925 FIRST APPEAL NO. 518 OF 2026
WITH
CIVIL APPLICATION NO. 7187 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants

Versus

Dnyandeo Vitthal Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. Jagtap, Advocate for the Respondent.

WITH

925 FIRST APPEAL NO. 519 OF 2026
WITH
CIVIL APPLICATION NO. 7183 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Bajirao Pandurang Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. Jagtap, Advocate for the Respondent.

WITH
925 FIRST APPEAL NO. 512 OF 2026
WITH
CIVIL APPLICATION NO. 7193 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Mohan Baburao Gaykwad .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
925 FIRST APPEAL NO. 516 OF 2026
WITH
CIVIL APPLICATION NO. 7185 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Anant Hari Gawhale .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
925 FIRST APPEAL NO. 520 OF 2026
WITH
CIVIL APPLICATION NO. 7181 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Kishan Sadu Sonwane and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
926 FIRST APPEAL NO. 590 OF 2026
WITH
CIVIL APPLICATION NO. 7054 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Baban Rangnath Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
927 FIRST APPEAL NO. 591 OF 2026
WITH
CIVIL APPLICATION NO. 7046 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Deorao Kondiba Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND

928 FIRST APPEAL NO. 592 OF 2026
WITH
CIVIL APPLICATION NO. 7028 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Namdeo Sakharam Dhadage
and another .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Ms. G. R. Jagtap and Shri C. K. Shinde, Advocates for the Respondent Nos. 1 and 2.

AND
929 FIRST APPEAL NO. 593 OF 2026
WITH
CIVIL APPLICATION NO. 7030 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Dhondiba Dagadu Shelar .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
930 FIRST APPEAL NO. 594 OF 2026
WITH
CIVIL APPLICATION NO. 7032 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Digambar Vitthal Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

Shri C. K. Shinde and Ms. G. R. Jagtap, Advocates for the Respondent No. 1.

AND
931 FIRST APPEAL NO. 595 OF 2026
WITH
CIVIL APPLICATION NO. 7034 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Trimbak Pandurang Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
932 FIRST APPEAL NO. 596 OF 2026
WITH
CIVIL APPLICATION NO. 7048 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Vishnu Sitaram Gaykawad .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
933 FIRST APPEAL NO. 597 OF 2026
WITH
CIVIL APPLICATION NO. 7036 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Devidas Bhanudas Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
934 FIRST APPEAL NO. 598 OF 2026
WITH
CIVIL APPLICATION NO. 7050 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Subhash Sadhu Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. G. R. Jagtap, Advocate for the Respondent No. 1.

AND
935 FIRST APPEAL NO. 599 OF 2026
WITH
CIVIL APPLICATION NO. 7052 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Sahebrao Waman Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
936 FIRST APPEAL NO. 600 OF 2026
WITH
CIVIL APPLICATION NO. 7038 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Baban Rangnath Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
937 FIRST APPEAL NO. 601 OF 2026
WITH
CIVIL APPLICATION NO. 7040 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Bhau Sawala Jadhav
Since deceased through his L.Rs.
Housabai and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
938 FIRST APPEAL NO. 602 OF 2026
WITH
CIVIL APPLICATION NO. 7044 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Mahadeo Dhondiba Jadhav and others .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. G. R. Jagtap, Advocate for the Respondent Nos. 1 to 3.

AND
939 FIRST APPEAL NO. 603 OF 2026
WITH
CIVIL APPLICATION NO. 7042 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai

and others .. Appellants
Versus
Bandu Kondiba Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
940 FIRST APPEAL NO. 630 OF 2026
WITH
CIVIL APPLICATION NO. 935 OF 2024
WITH
CIVIL APPLICATION NO. 8905 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Ganpat Mansiram Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 632 OF 2026
WITH
CIVIL APPLICATION NO. 933 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Narayan Kisan Jadhav
Since deceased through his L.Rs.
Parmeshwar and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant K. Shinde and Ms. G. R. Jagtap, Advocate for the Respondents.

WITH
940 FIRST APPEAL NO. 631 OF 2026

WITH
CIVIL APPLICATION NO. 943 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Kusumbai Anant Gavhale .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 633 OF 2026
WITH
CIVIL APPLICATION NO. 941 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Vitthal Kishan Jadhav
Since deceased through his L.Rs.
Kaushalya and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 634 OF 2026
WITH
CIVIL APPLICATION NO. 945 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Sanjanabai Babasaheb Kanase .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH

940 FIRST APPEAL NO. 635 OF 2026
WITH
CIVIL APPLICATION NO. 931 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants

Versus

Mahadeo Kisan Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 636 OF 2026
WITH
CIVIL APPLICATION NO. 947 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants

Versus

Ramdas Parbhati Jadhav and another .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 637 OF 2026
WITH
CIVIL APPLICATION NO. 929 OF 2024

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants

Versus

Kundlik Pandurang Waghule .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 638 OF 2026

WITH
CIVIL APPLICATION NO. 939 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Kamalbai Parasram Waghmare .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 639 OF 2026
WITH
CIVIL APPLICATION NO. 13300 OF 2024
IN
CIVIL APPLICATION NO. 937 OF 2024
WITH
CIVIL APPLICATION NO. 8915 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Yadav Tulsiram Shelar
Since deceased through his L.Rs.
Chandrabhagabai and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

WITH
940 FIRST APPEAL NO. 640 OF 2026
WITH
CIVIL APPLICATION NO. 927 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants
Versus
Vishwanath Dhondiba Jadhav .. Respondent

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.

AND
941 FIRST APPEAL NO. 743 OF 2026
WITH
CIVIL APPLICATION NO. 3579 OF 2025

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Kalyan Dattatraya Gore and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Ram B. Deshpande, Advocate for the Respondent Nos. 1 to 3.

WITH
941 FIRST APPEAL NO. 741 OF 2026
WITH
CIVIL APPLICATION NO. 3577 OF 2025

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants
Versus
Gorakh Gangaram Waghule and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Ram B. Deshpande, Advocate for the Respondent Nos. 1 & 2.

WITH
941 FIRST APPEAL NO. 742 OF 2026
WITH
CIVIL APPLICATION NO. 3573 OF 2025

Union of India, thorugh the General Manager, Central Railway, Mumbai and others .. Appellants

Versus

Satish Kundlik Gore
Since deceased through his L.Rs.
Anita Satish Gore and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Ram B. Deshpande, Advocate for the Respondent Nos. 1 to 4.

WITH
941 FIRST APPEAL NO. 740 OF 2026
WITH
CIVIL APPLICATION NO. 3575 OF 2025

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants

Versus

Ambadas Mahadeo Waghule
Since deceased through his L.Rs.
Kalinda and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Ram B. Deshpande, Advocate for the Respondent Nos. 1 & 2.

AND
942 FIRST APPEAL NO. 781 OF 2026
WITH
CIVIL APPLICATION NO. 13652 OF 2024

Union of India, thorugh the General
Manager, Central Railway, Mumbai
and others .. Appellants

Versus

Eknath Bhanudas Waghule
Since deceased through his L.Rs.
Navnath and others .. Respondents

Shri Ajay G. Talhar, D.S.G.I. for the Appellants.
Shri Chandrakant C. Shinde and Ms. G. R. Jagtap, Advocates for the Respondent Nos. 1.1 to 1.3 and 1.5 to 1.8.

CORAM : SHAILESH P. BRAHME, J.
DATE : 10TH APRIL, 2026.

FINAL ORDER :

. Heard both sides finally.

2. The acquiring body has preferred these appeals against common judgment and award dated 09.10.2023 awarding compensation at the rate of Rs. 4,762/- per R to the claimants – respondents, which is stated to be exorbitant and unreasonable.

3. Appellants have undertaken acquisition for laying down new railway track from Ahmednagar – Beed – Parli. Lands from various villages have been acquired, which resulted into filing of various references. Those were decided by forming groups by the Reference Court. The judgments passed by the Courts are subjected to challenge by the acquiring body as well as the claimants in few of the matters. In the present group the claimants have not preferred any cross objection or appeal. The lands are from village Sheri (Bk), Tq. Ashti, Dist. Beed.

4. Following are the material particulars :

Sr. No.	First Appeal No.	L.A.R. No.	Gut No.	Area acquired	Date of Sec. 4 notification	Rate awarded by the SLAO	Rate fixed by the Reference Court.
1	418/2026	684/2014	75	0.30R	18.12.2008	Rs. 1200/- per R	Rs. 4,762/- per R. Jirayat
2	3530/2025	235/2018			18.12.2008	Rs. 1200/- per R	Rs. 4,762/- per R. Jirayat
3	502/2026	190/2014	26/2	0.46R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
4	510/2026	172/2014	73	0.29R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
5	507/2026	166/2014	26/1	0.15R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
6	506/2026	163/2014	79	0.10R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
7	503/2026	188/2014	31	0.42R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
8	504/2026	737/2014	31	0.21R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
9	505/2026	740/2017	46	0.13R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
10	508/2026	169/2014	69	0.30R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R Bagayat
11	509/2026	176/2014	31	0.10R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
12	511/2026	184/2014	30	0.15R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R Bagayat
13	513/2026	170/2014	27	0.16R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat

14	514/2026	185/2014	34	0.03R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
15	515/2026	182/2014	30	0.24R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
16	517/2026	171/2014	27	0.11R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
17	518/2026	168/2014	73	0.23R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
18	519/2026	167/2014	73	0.29R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
19	512/2026	179/2014	16	0.21R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
20	516/2026	187/2014	16	0.06R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
21	520/2026	196/2014	71	2.36R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
22	590/2026	164/2014	25/3 26/1	0.07R 0.22R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
23	591/2026	193/2014	17	0.24R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
24	592/2026	739/2017	46	0.29R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
25	593/2026	195/2014	115/1	0.24R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
26	594/2026	197/2014	73	0.16R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat

27	595/2026	198/2014	73	0.32R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
28	596/2026	931/2017	115/4/44 111/5/44	0.01R 0.20R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
29	597/2026	199/2014	27	0.15R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
30	598/2026	178/2014	79	0.24R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 5,738/- per R. Bagayat
31	599/2026	165/2014	30	0.08R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
32	600/2026	200/2014	27	0.06R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
33	601/2026	194/2014	16	0.06R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
34	602/2026	189/2014	17	0.30R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
35	603/2026	180/2014	16	0.05R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
36	630/2026	173/2014	16	0.02R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
37	632/2026	204/2014	111/4	0.21R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
38	631/2026	192/2014	16	0.65R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
39	633/2026	186/2014	111/3 177/4	0.11R 0.29R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat

40	634/2026	202/2014	117/1	0.02R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
41	635/2026	203/2014	111/3, 117/4	0.15R 0.07R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
42	636/2026	183/2014	112/10 112/10	0.04R 0.29.50 R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
43	637/2026	201/2014	73	0.25R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
44	638/2026	181/2014	16	0.26R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
45	639/2026	177/2014	115/1/44	0.16R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
46	640/2026	191/2014	111/2 111/09 111/10 116/06 111/5	0.09R 0.08R 0.42R 0.09R 0.17R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat
47	743/2026	682/2014	75/1 74	0.09R 0.07R	18.12.2008	Rs. 1200/- - per R	Rs. 4,762/- per R. Jirayat
48	741/2026	683/2014			18.12.2008	Rs. 1200/- - per R	Rs. 4,762/- per R. Jirayat
49	742/2026	1014/2017	75	0.15R	18.12.2008	Rs. 1200/- - per R	Rs. 4,762/- per R. Jirayat
50	740/2026	685/2014	79	0.42R 0.43R	18.12.2008	Rs. 13 00/- - per R	Rs. 4,762/- per R. Jirayat
51	781/2026	735/2017	27	0.09R	18.12.2008	Rs. 1200/- - I Rs. 1300/- - II Rs. 1400/- - III per R	Rs. 4,762/- per R. Jirayat

5. The lands of the respondents were treated to be irrigated lands. The Special Land Acquisition Officer (for the sake of brevity and convenience hereinafter referred as to the "S.L.A.O.")

offered rate ranging from Rs. 1,150/- to 1,350/- per R. Award was passed on 20.07.2010. The rate is enhanced to Rs. 4,762/- per R by the Reference Court. The possession was taken on 09.07.2010. The group is decided by the Reference Court referring to papers of L. A. R. No. 684 of 2014.

6. Mr. Ajay Talhar, learned D. S. G. I. submits that Reference Court committed error of jurisdiction in enhancing the rate which is not supported by adequate material. It is submitted that S.L.A.O. had undertaken due procedure of law and inspection was done. The documents were collected to arrive at market rate. As against that the sale instances placed before the Reference Court were incompatible. The reliance on the rate fixed in L. A. R. No. 191 of 2014 is arbitrary and illegal. It is submitted that considering the location and the potential of the lands under acquisition, the Reference Court erred in enhancing the rate. The Reference Court further committed illegality in granting statutory benefits of solatium and additional component.

7. Per contra, learned counsels appearing for the respondents – claimants support the impugned judgment and award. They would submit that on the ground of parity the Reference Court cautiously adopted the rate given in L.A.R. No. 191 of 2014 after considering relevant aspects of the matter. It is further submitted that when the sale instance at Exhibit 39 was treated to be compatible, the deduction of 70% was unreasonable. In

fact, the claimants are entitled to receive more rate than awarded by the Reference Court, but they have not preferred any appeal due to precarious financial condition. The statutory benefits awarded by the Reference Court cannot be faulted with.

8. I have considered rival submissions of the parties. I have formulated following points for determination.

I. Whether the enhancement granted by the Reference Court is liable to be quashed ?

II Whether the statutory benefits extended by the Reference Court are in accordance with law ?

9. The respondents adduced oral and documentary evidence. The evidence adduced in L.A.R. No. 684 of 2014 was taken into account. The lands from village Sheri Budruk were acquired for new railway line. The preliminary notification under section 04 of the L. A. Act was issued on 18.12.2008. Respondents relied on sale deed dated 07.08.2002 at Exhibit 35 and 02.02.2000 at Exhibit 39. They also produced on record common judgment dated 23.11.2022 passed in LAR No. 191 of 2014. The appellant did not adduce any oral evidence but only relied upon the award passed by the Special Land Acquisition Officer.

10. Point No. I :

The respondents / claimants have produced evidence on record to show that the lands acquired are irrigated lands. The oral evidence is corroborated by 7 / 12 extract showing crop pattern. Appellant did not challenge the classification of the land. Therefore, it can be safely treated that the lands under acquisition are bagayat lands.

11. The reference Court was conscious of the law laid down by the Supreme Court in the matter of **Chimanlal Hargovinddas Vs. Special Land Acquisition Officer, and others** reported in ***MANA/SC/0071/1988*** laying down that the award of the Land Acquisition Officer is not a judgment of the trial Court but it is merely an offer of the rates. The proceedings before the reference Court are original in nature and it would be open for the parties to lead evidence before it. The judgment of **Municipal Corporation of Greater Bombay, Mumbai Vs. State of Maharashtra and others** reported in ***2009(2) All MR 270*** was also taken into account for determining the probable market value of the land under acquisition. It further reveals that the ratio laid down in **Meharwal Khewalji Trust, Faridkot and others V. State of Punjab and others** reported in ***AIR 2012 SC 2721*** was kept in mind which shows that the highest rate of the sale exemplar if it is *bona fide* and akin to the nature of the land needs, is to be accepted.

12. Two sale instances are produced on record. The preliminary notification was issued on 18.12.2008. The rate in the sale exemplar at Exhibit 35 was Rs.9,000/- per R and in case of Exhibit 39, Rs.10,000/- per R. The rate in Exhibit 39 was closer to the approximate market value of the acquired land

because in that case 20 R of dry land was sold. Whereas the lands under acquisition are bagayat lands. The reference Court deducted 70% because there was difference in the lands under acquisition and the land in the sale exemplar considering the location and potentiality. It is vulnerable. The respondents did not claim any enhancement by challenging the findings in respect of the rate fixed by the reference Court. Hence, it is not necessary to examine as to whether the respondents / claimants are entitled to more amount than fixed by the reference Court.

13. The reference Court fixed the rate on the basis of common judgment dated 23.11.2022 passed in LAR No. 191 of 2014. I have gone through a copy of the judgment. In that case also, lands from village Sheri stood acquired for new railway line. The sale example which is at Exhibit 39 dated 02.02.2000 and further two sale instances were pressed into service. The sale instance dated 02.02.2000 was accepted and rate of Rs.4,762/- was arrived at. There is room to say that considering the sale exempler, more rate could have been fixed but in the absence of any challenge by the respondents / claimants, the exercise is unwarranted in the present case.

14. It further reveals from record that in couple of matters reliance is placed on the judgment dated 23.11.2022 passed in L.A.R. No. 205 of 2014 fixing the rate at Rs. 4,762/- per R for dry land and Rs. 5,738/- per R for irrigated land. The judgment passed in L.A.R. No. 191 of 2014 and L.A.R. No. 205 of 2024 have

not been challenged by either of the parties. Those are conclusive and final. Therefore, the Reference Court is justified in adopting rate of Rs. 4,762/- per R for dry land.

15. The reference Court accepted rate of Rs.4,762/- per R, by adopting the rate from LAR No. 191 of 2014. The discretion has been exercised judiciously and reasonably. There is no reason to discard the rate. There is always some element of guesswork in fixation of the probable market value. It is permissible to have guesstimate as explained by the Hon'ble Apex Court in Trishala Jain V. State of Uttaranchal, which is rightly followed by the reference Court. I do not find any illegality in fixing the rate by the reference Court. The appellant has failed to make out any case to cause interference in fixing the rate which is reasonable and akin to the market value at the prevalent time.

16. Point No. II

The reference Court has assigned reason for not granting interest under section 34 of the Land Acquisition Act. The possession was taken from the claimants on 29.07.2010 immediately after passing of the award on 20.07.2010. It is admitted by the respondents that the notice under section 12(2) was issued on 28.07.2010. The claimants are entitled to get interest U/Sec 28 of the L. A. Act. I find that no illegality is committed by the reference Court in awarding the interest. Needless to state that respondents are entitled to receive interest in view of **State of Maharashtra V. Kailash Shiva Rangari** reported in

2016(3) Mh.L.J. 457.

17. The claimants are entitled to receive benefit U/Sec. 23(1-A) of the L. A. Act, which is rightly awarded by the Reference Court. No case is made out by the appellant as to how the statutory benefits including interest are not in accordance with law.

18. It is made clear that dismissal of these Appeals preferred by the acquiring body would not bind any other the claimants' whose lands have been acquired for the selfsame project in claiming enhancement of the compensation by preferring independent Appeals or the Cross-Objections. Their claim for any further enhancement would be dealt with in accordance with law and on the basis of the evidence produced on record.

19. It is further clarified that the counsels appearing for the respondents/claimants have made candid statement that their clients are unable to prefer any appeal or cross objection for enhancement in the High Court. They are precluded from claiming enhancement in future.

20. For the reasons stated above, I do not find that there is any perversity or illegality in the judgment and award passed by the reference Court. The Appeals preferred by the acquiring body sans merit. Hence, I pass the following order :

O R D E R

A. First Appeals are dismissed.

B. Award be drawn accordingly.

C. There shall be no order as to costs.

D. The amount deposited by the appellants – acquiring body shall be disbursed to the respondents – claimants with accrued interest as per their entitlement.

E. In case the amount is not deposited, appellants shall make the payment expeditiously.

F. All pending civil applications for stay stand disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26