



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 685 OF 2026

Vishnu Limbaji Kanse

VERSUS

The State Of Maharashtra Through The Collector Jalna And Ors.

WITH FIRST APPEAL NO. 684 OF 2026

Sumanbai Dattatraya Kanse And Anr

VERSUS

The State Of Maharashtra Through The Collector Jalna And Ors.

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Mr. V. D. Bhise, Advocate for Appellant

Mr. N. D. Raje, AGP for Respondents

Mr. R. A. Tambe, Advocate for Respondent No. 3

CORAM : SHAILESH P. BRAHME, J

DATE : MARCH 04, 2026

PC :

1. Heard learned Counsels for both sides. Appeals are taken up for final disposal with consent of parties.
2. Appellants are challenging the common judgment and award dated 31.01.2009 passed in LAR No. 115/2000 and 117/2000. They are claiming rate of Rs.2400 per Are on the ground of parity. They have placed on record order passed by this Court on 23.02.2026 awarding rate of Rs.2400 per Are.
3. Mr. Tambe, learned Counsel for acquiring body, opposed the submissions. It is submitted that no independent case for enhancement has

been made out by the Appellants.

4. Appellants' lands are from village Daithana, which stood acquired for Kasura Bruhat Project. Following are the material particulars:

Sr. No.	F.A. No. (L.A.R. No.)	Gut No. (Area)	U/sec 4 Notification Date	U/sec 11 Award date	S.L.A.O. awarded Per R rate	LR. Reference Court awarded rate per R	Type of land Reference Court awarded
91. A	685/2026 (115/2000) Vishnu L. Kanse	35 OO H 41 R	29.06.1996	03.07.1997	Rs.399.50/- (for Jirayat)	Rs.600/-	Dry Land
B.	684/2026 (117/2000) Sumanbai D. Kanse & Or	34 OO H 41 R	29.06.1996	03.07.1997	Rs.399.50 (for Jirayat)	Rs.600/-	Dry Land

5. Undisputedly, the classification of the land to be dry one has not been disputed by the parties. This Court has been consistent in awarding rate of Rs.2400 per Are for dry land relying upon the consistent view being taken by this Court in various matters. One such order passed in FA No. 445/2025 is placed on record. Appeals are squarely covered by the view taken by this Court.

6. Considering the location of the land, the project and the rates on the ground of parity, Appellants are entitled to receive the rate of Rs.2400 per Are. I, therefore, pass following order:

ORDER

- (I) Appellants in both the appeals are entitled to receive rate of Rs.2400/- per Are for the acquired lands.

- (II) The Appellants shall not be entitled to receive interest and statutory benefits for the delayed period.
- (III) The Appellants shall be entitled to receive interest U/Sec.28 and 34 of the Land Acquisition Act in view of the judgment of the Full Bench of this Court in the matter of **State of Maharashtra Vs. Kailash Shiva Rangari** [2016 AIR (Bom.) 141].
- (IV) Save and except above, the impugned judgment and award shall remained unaltered.
- (V) The Appellants shall pay the deficit Court fees.
- (VI) Award be drawn up accordingly.
- (VII) Appeals stand disposed of.
- (VIII) Pending civil application(s), if any, stands disposed of.

(SHAILESH P. BRAHME, J.)

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