



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

FIRST APPEAL NO. 881 OF 2026

RAMPRASAD DEVIDAS AMBHURE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

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Advocate for Appellant : Mr. Bhise Vitthal Dnyanoba.

AGP for Respondent/s-State : Mr. S. N. Morampalle.

Advocate for Respondent No.3 : Mr. Tambe Rahul A.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 18.03.2026

FINAL ORDER :-

1. Heard both sides finally at the admission stage with consent of the parties.
2. Appellant is questioning judgment and award dated 17.03.2010 passed in LAR.No.177 of 2005 fixing the rate of Rs.1100/- per R. for dry land. Applicant is claiming enhancement in the rate relying on the common judgment passed by this Court in First Appeal No.3202 of 2025 and connected appeals. A copy of judgment and award in the decided matter is placed on record.
3. Learned counsel appearing for respondent/acquiring body repels the submissions and supports the impugned judgment. It is submitted that a reasonable and plausible view has been taken by the Reference Court and no further example is warranted. Appellant's land from village Shrishti, Taluka

Partur, District Jalna stood acquired vide notification dated 06.07.2000.

There is no dispute that land under acquisition is dry land.

4. Following are the material particulars in the present first appeal :

First Appeal No.	L.A.R. No.	Gut No.	Total Acquired Area	U/sec.4 notification date	U/sec.11 Award date	SLAO rate per R as per Award	Reference Court enhanced rate per R	Hon'ble High Court enhancing the rate arising out of same project same village and same award in FA.No.3202/2025
881/2026	177/2005	361	00 H. 79 R.	06.07.2000	11.12.2003	Rs.635/- (for Jirayat)	Rs.1100/- for Dry Land	For dry land- Rs.2493.22/- per R. For seasonally irrigated land- Rs.3739.33/- per R. For irrigated land- Rs.4986.44/- per R. Pot Kharab land- Rs.1246.61/- per R.

5. I have gone through common judgment dated 26.11.2025 in which lands from village Shrishti stood acquired vide notification dated 06.07.2000 i.e. selfsame notification. I find that present appeal is squarely covered by the consistent view being taken by this Court in awarding rate of Rs.2493.22/- per R. for dry land. Appellant is entitled to have the same treatment. It is rightly pointed out by Mr. Tambe that interest awarded by the Reference Court is not in consonance with settled legal position, that needs to be rectified. I, therefore, pass following order :

ORDER

- (i) First appeal is allowed partly.
- (ii) The appellant shall be entitled to receive rate of Rs.2493.22/- per R. for dry land.
- (iii) The appellant shall not be entitled to interest and statutory benefits for the delayed period.
- (iv) The appellant shall be entitled to interest under Section 28 and

34 from the date of award as per law laid down in the judgment of Full Bench in case of ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***.

- (v) Save and except above modification. Impugned judgment and award passed by Reference Court shall stand unaltered.
- (vi) The appellant shall pay deficit court fees, if any.
- (vii) Record and proceeding be sent back to the concerned Court, if any.
- (viii) Award be drawn accordingly.

(SHAILESH P. BRAHME, J.)

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vmk/-