



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

**FIRST APPEAL NO. 1714 OF 2025**

Shardabai Prabhakar Jagtap .. Appellant

**Versus**

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

Shri Shubham M. Kakde, Advocate for the Appellant.  
Shri S. B. Narwade, A.G.P. for the Respondent Nos.1 and 2.  
The respondent No. 3 is served.

**CORAM : SHAILESH P. BRAHME, J.**  
**DATE : 07TH MAY, 2026.**

**FINAL ORDER :**

- . Taken up for final disposal with the consent of the parties.
2. Appellant is challenging judgment and award dated 07.02.2019 passed by the Reference Court in L. A. R. No. 275 of 2013. She is claiming enhancement relying on the consistent view being taken by this Court. It is also followed in First Appeal No. 2141 of 2025.
3. Land of the appellant from village Pandepokhari, Tq. Partur, Dist. Jalna, which is acquired for percolation tank No. 8. The notification was issued on 07.07.2006. The rate offered by the Special Land Acquisition Officer was Rs. 975/- per R for semi irrigated land. The rate is enhanced to Rs. 3,500/- per R for semi

irrigated land.

4. Learned Assistant Government Pleader would contest the submissions. It is contended that no case is made out for any further enhancement and appeal is liable to be dismissed.

5. Following are the relevant details.

| F.A. 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 |                |           |            |
|-----------|----------|---------|---------------------|--------------------|--------------------|--------------------------------|-----------------------------------------|------------------------------------------|----------------|-----------|------------|
|           |          |         |                     |                    |                    |                                |                                         | Jiraya t                                 | Semi irrigated | Irrigated | Potkhara b |
| 1714/2025 | 275/2013 | 251     | 5H 57R              | 07.07.2006         | 31.01.2008         | Rs. 975/- per R semi irrigated | Rs. 3,500/- per R                       |                                          | 5H 57 R        |           |            |

6. While deciding First Appeal No. 2141 of 2025, rate fixed in L. A. R. No. 671 of 2011 was adopted to the tune of Rs. 4,629/- per R for dry land. The same rate can be adopted in the present matter. Appeal is squarely covered by the consistent view being taken by this Court.

7. The notification in the present matter was issued on 07.07.2006, whereas notification in L.A.R. No. 671 of 2011 was issued on 07.07.2006. The rate works out to be Rs. 6,249/- per R semi irrigated land. I, therefore, pass following order.

**ORDER**

- a. The appellant shall be entitled to receive Rs. 6,249/- per Are for seasonally irrigated land, considering the nature of their lands classified by the Reference Court.
- b. The appellant shall not be entitled to the interest and statutory benefits for the delayed period.
- c. The appellant 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. The appellant shall pay deficit court fees, if any.
- f. Award be drawn accordingly.

**[ SHAILESH P. BRAHME J. ]**

*bsb/May 26*