



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

FIRST APPEAL NO. 2145 OF 2025

Nanasaheb Piraji Jadhav .. Appellant

Versus

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

**AND
FIRST APPEAL NO. 2144 OF 2025**

Vishwanath shrirangrao More .. Appellant

Versus

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

**AND
FIRST APPEAL NO. 2146 OF 2025**

Subhsh Narayan Deshmukh .. Appellant

Versus

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

Shri Shubham M. Kakade, Advocate for the Appellant in all matters.

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

The Respondent No. 3 is served.

CORAM : SHAILESH P. BRAHME, J.

DATE : 06TH APRIL, 2026.

FINAL ORDER :

. Heard both sides finally with their consent.

2. Appellants are challenging judgment and award passed by the Reference Court awarding rate of Rs. 2,350/- per R for dry land. It is submitted by the learned counsel Mr. S. M. Kakade that this Court has already taken view in awarding rate of Rs. 3,700/- per R for dry land, which was fixed in L. A. R. No. 608 of 2011. The rate was accepted by this Court in deciding group of appeals on 27.02.2026. The compilation is placed on record in respect of the submissions.

3. Learned Assistant Government Pleader Mr. Hange appearing for the respondents – State repels the submissions by contending that Reference Court has awarded reasonable compensation. Appellants have failed to make out any case on the ground of parity for further enhancement.

4. Appellants lands are acquired from village Devgaon Khavne, Tq. Mantha for percolation tank No. 9. Same is treated to be dry land, which is not disputed in the present appeals.

Following are the material particulars :

Sr. No.	First Appeal	L. A. R. No.	Gut No.	Acquired Area	Date of Notification U/Sec. 4	Date of Award U/Sec. 11	Rate granted by the SLAO	Rate awarded by the Reference Court Dry land
1	2145/2025	343/2011	423	0H 41R	05.09.2007	31.12.2010	Rs. 1250/- Per R	Rs. 2350/ per R
2	2144/2025	346/2011	423	0H 48R	05.09.2007	31.12.2010	Rs. 1250/- Per R	Rs. 2350/ per R
3	2146/2025	344/2011	423	0H 41R	05.09.2007	31.12.2010	Rs. 1250/- Per R	Rs. 2350/ per R

5. This Court has taken consistent view in accepting rate of Rs. 3,700- per R for dry land as it was done in L. A. R. No. 608 of 2011. The rate was adopted in case of acquisition of lands from village Deogaon Khavne. By common judgment dated 27.02.2026 passed in First Appeal No. 3292 of 2025 rate of Rs. 5,960/- per R was awarded for the dry land. I find that present appeals are squarely covered by the consistent view taken by this Court.

6. Appellants are entitled to receive rate of Rs. 3,700/-/- per R for the dry land. Undisputedly lands under acquisition are dry lands.

7. In First Appeal No. 3077 of 2025 the notification was issued on 26.08.2004. Considering the date of notification in the present case, he is entitled to have benefit of escalation at the rate of 10% per annum for three years. The rate, thus worked out to be Rs. 4,925/- per R for dry land. I therefore pass following order.

O R D E R

- A. The first appeals are partly allowed.
- B. Impugned judgment and order is modified to the extent that the appellants – claimants shall be entitled to rate of Rs. 4,925/- per R for dry lands.
- C. The appellants shall not entitled to interest and statutory benefit for the delayed period.
- D. The appellants shall be entitled to interest U/Sec. 28 and 34 of the L. A. Act is payable from the date of final award as per the judgment of the Full Bench of this Court in the matter of **the State of Maharashtra Vs. Kailas Shiva Rangari** reported in **2016(4) All MR 513**.
- E. Save and except above, impugned judgment and award shall stand unaltered.
- F. Appellants shall pay the deficit court fees.
- G. Award be drawn up accordingly.

[SHAILESH P. BRAHME J.]

bsb/April 26