



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

30 FIRST APPEAL NO. 2349 OF 2025

Chandarsing Zinga Girase .. Appellant

Versus

The Collector, Dhule, Collector
Office Dhule and others .. Respondents

Ms. Mrunal Andhare, Advocate h/f Shri Ajeet B. Kale, Advocate
for the Appellant.

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

AND

31 FIRST APPEAL NO. 2350 OF 2025

Rajesing Daulat Girase .. Appellant

Versus

The Collector, Dhule, Collector
Office Dhule and others .. Respondents

Ms. Mrunal Andhare, Advocate h/f Shri Ajeet B. Kale, Advocate
for the Appellant.

Shri S. N. Morampalle, A.G.P. for the Respondent Nos. 1 and 2.

AND

32 FIRST APPEAL NO. 2352 OF 2025

Raghunath Adhar Mistri .. Appellant

Versus

The Collector, Dhule, Collector
Office Dhule and others .. Respondents

Ms. Mrunal Andhare, Advocate h/f Shri Ajeet B. Kale, Advocate for the Appellant.

Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 and 2.

CORAM : SHAILESH P. BRAHME, J.

DATE : 02ND FEBRUARY, 2026.

FINAL ORDER :

. Heard both sides finally.

2. Appellants are challenging judgment and award passed by the Reference Court in the distinct reference petitions. The appellants are claiming enhancement of compensation on the ground of parity relying on common judgment dated 12th July, 2023 passed in First appeal No. 2525 of 2022 with other connected first appeals.

3. The house properties of the appellants are situated at village Khadgaon, Tq. Jamner, Dist. Jalgaon and those are acquired for Wadi-Shevadi Medium Project under submerged gavthan land. The notification U/Sec. 4 of the Land Acquisition Act was issued on 30.03.2010. The award U/Sec. 11 of the L. A. Act was passed on 18.05.2013. The Reference Court enhanced the rate by awarding it to 85% of the valuer's report, but deducting 10%.

4. The learned Assistant Government Pleaders in respective first appeal would oppose the submissions of the appellants. It is further submitted that the ground of parity is not available to

the appellants. The compensation awarded by the Reference Court is just and reasonable.

5. Following are the material particular of the appeal :

FA No.	LAR No.	House No.	Total Acquired area	Notification u/s.4	Award u/s. 11 date	Rate Awarded by S. L. A. O.	Rate awarded by Reference Court
2349/2025	15/2018	326	95 sq. mtr	30.03.2010	18.05.2013	3,93,583/-	6,95,875/-
2350/2025	14/2018	331	54 sq. mtr.	30.03.2010	18.05.2013	3,05,945/-	4,05,450/-
2352/2025	09/2018	280	79 sq. mtr.	30.03.2010	18.05.2013	12,245/-	4,99,824/-

6. This Court has been taking consistent view for awarding compensation to the tune of 85% of the valuers report for the house properties acquired for Wadi Shewadi project. The common order dated 12th July, 2023 passed by the Coordinate Bench of this Court in First Appeal No. 2525 of 2022 with other connected matters supports the claim. It is impermissible for the Reference Court to deduct 10%. No reasons are assigned for deducting 10% of the valuer's report.

7. I, therefore, pass following order :

ORDER

- a. First Appeals are allowed partly.
- b. The respondent – acquiring body shall pay compensation amount to the appellants – claimants for their acquired house properties to the extent of 85% of the valuer's report

submitted by the appellants which are shown in the chart referred above.

- c. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.
- d. The appellants shall be entitled to the interest under Section 28 and 34 of the Land Acquisition Act, 1894 as per Full Bench judgment in the matter of State of Maharashtra Vs. Kailash Shiva Rangari (supra).
- e. Save and except above modification, the impugned judgment and award shall stand unaltered.
- f. The appellants shall pay deficit court fees.
- g. Award be drawn accordingly.

[SHAILESH P. BRAHME J.]

bsb/Feb. 26