



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

FIRST APPEAL NO. 462 OF 2026

CHAINSING RAMLAL MURADHE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE DIST COLLECTOR
JALNA AND OTHERS

...
Advocate for Appellant : Mr. Arun H. Koralkar
AGP for Respondents No.1 and 2 : Mr. S. V. Hange
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 09-06-2026

PER COURT:-

1. By consent of the parties, the appeal is heard finally at the stage of admission.
2. This appeal challenges the judgment and award dated 14.08.2015, rendered by the learned Joint Civil Judge, Senior Division, Jalna, in Land Acquisition Reference No.1888 of 2010 under Section 18 of the Land Acquisition Act, 1893 (for short, "L.A. Act").
3. The Reference Court has rejected the reference, observing a discrepancy between the award's "E" statement and the evidence on record. Specifically, the claimant sought enhanced compensation in relation to the Gat No. 201, which actually belonged to one Surajsing Ramlal Muradhe (who was independently awarded additional compensation of Rs.2,193/- per

R in LAR No. 2203 of 2010). Conversely, the "E" statement established that the appellant/original claimant, Chainsing Muradhe, was the actual owner of the acquired land bearing Gat No.202. The claimant's Advocate failed to rectify this inadvertant error in the reference application. The learned Reference Court held that the claimant could not seek enhancement for land belonging to another party and rejected the claim.

4. Learned counsel for the appellant submits that both land references arose from the same acquisition notification and were handled by the same Advocate on record. Consequently, due to an oversight, the Gat number was erroneously recorded as "201" instead of "202" and also submits that the Reference Court failed to properly evaluate the underlying details of the acquired land, trees, and interested persons under Sections 19 and 23 of the L.A. Act. Prayed that the appeal be partly allowed and the claimant be conferred an opportunity to correct the oversight.

5. Learned A.G.P. for the State supports the impugned judgment and award.

6. Perused the record and the judgment under challenge.

7. Upon considering the submissions of both sides and perusing the material on record, it indicates that the Special Land Acquisition Officer determined the original compensation based on

the classification of land in the 7/12 extract for the acquired Gat No. 202. The variance regarding the Gat numbers in the reference application is clearly an inadvertent error rather than a fundamental defect on merits and no prejudice would cause to the respondent authorities.

7. Having regard to these peculiar facts and circumstances, it would be just, proper, and in the interest of justice to remit the matter back to the learned Reference Court. This will afford the claimant a fair opportunity to carry out the necessary amendments to correct the Gat number.

8. Accordingly, the First Appeal is partly allowed.

9. The impugned judgment and award in LAR No. 1888 of 2010 is set aside.

10. The matter is remitted back to the learned Reference Court with a direction to permit the claimant to carry out corresponding necessary amendment in the reference application and to decide the matter afresh on its merits, within a period of ten months from the date of receipt of this order.

11. No order as to costs.

[SACHIN S. DESHMUKH]
JUDGE