



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 FIRST APPEAL NO. 2593 OF 2025

SYED YOSUFFUDIN SYED BHAHODDIN AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR BEED AND
ANR

...

Mr. V. D. Bhise h/f. Mr. Pramod A. Pisal, Advocate for Appellants

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

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CORAM : SHAILESH P. BRAHME, J.

DATE : 20.02.2026

PER COURT :-

. Taken up for final disposal with the consent of the parties.

2. The appellants are challenging the judgment and award dated 05.11.2016 passed in LAR No.415 of 2011. The Reference Court enhanced the compensation to Rs.250 per square meter which is sought to be further enhanced to Rs.1,101/- per square meter.

3. Both sides are *ad idem* that the issue involved in the matter is no more *res integra* as arising out of the selfsame acquisition, notification as well as award, First Appeal No.3100 of 2016 preferred by the claimants was partly allowed by reasoned order enhancing the rate to Rs.1,101/- per square meter. I have gone through the judgment dated 10.09.2024 in First Appeal No.3100 of 2016. In the present matter also, land from village Bobade Taraf, Taluka

and District Beed was acquired for Beed – Mhalas Jawala Pimpalner Road. Notification under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as 'the Act') was issued on 16.02.2005 and award was passed on 16.02.2006. Present case is squarely covered by the judgment rendered by this Court. On the ground of parity, the appellants are entitled to receive the rate of Rs.1,101/- per square meter.

4. I, therefore, pass following order :

ORDER

- a. First Appeal is allowed partly.
- b. The appellants are entitled to receive the rate of Rs.1,101/- per square meter for the acquired property.
- c. The appellants are not entitled to receive the interest as well as statutory benefits for the delayed period.
- d. The appellants are entitled to receive the interest under Section 28 and 34 of the Act as per full bench judgment of **State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.)141]**.
- e. Save and except above modification, the impugned judgment and award shall stand unaltered.
- f. The appellants shall pay deficit court fees, if any.
- g. Decree be drawn accordingly.

(SHAILESH P. BRAHME, J.)