



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

FIRST APPEAL NO. 2715 OF 2025

Rajeshwar Balasaheb Chavan .. Appellant

Versus

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

Shri Vikas G. Kodale, Advocate for the Appellant.
Shri N. D. Raje, A.G.P. for the Respondent Nos. 1 to 3.

CORAM : SHAILESH P. BRAHME, J.
DATE : 17TH MARCH, 2026.

FINAL ORDER :

. Heard both sides. Taken up for final disposal with the consent of the parties.

2. Being aggrieved by judgment and award dated 19.09.2017 passed in L. A. R. No. 200 of 2016, appellant – original claimant is knocking the doors of this Court. He claims enhancement to the tune of Rs. 860/- per square feet relying upon the common judgment dated 19th November, 2025 delivered by this Court in First Appeal No. 1776 of 2021 with other connected first appeals. Copy of the common order is placed on record.

3. Appeal is contested by the respondents. It is submitted that there is difference in the land potentiality and the ground of

parity is not attracted. The Reference Court has adequately enhanced the compensation and appeal is liable to be dismissed.

4. In the present matter land of the appellant to the extent of 1200 square meter in Sy. No. 9 situated at village Kanheri, Tq. and Dist. Latur stood acquired for new ring road part II. The notification U/Sec. 126(4) of the Maharashtra Regional and Town Planning Act was issued on 25.03.2012. Award was passed on 13.12.2013 offering rate of Rs. 250/- per square meter. The Reference Court enhanced it to Rs. 400/- per square feet.

5. I have gone through the common judgment and order dated 19th November, 2025 rendered by this Court in First Appeal No. 1776 of 2021 and other connected appeals. The acquisition in that case was also for the self same project. In that case also land from village Kanheri was acquired for self same purpose. The date of notifications were also identical. By reasoned order, this Court enhanced the rate to Rs. 868/- per square feet. I find that present case is squarely covered by the view taken by this Court. Appellant is also entitled to receive rate of Rs. 868/- per square feet, which is denied by the Reference Court. Needless to mention that interest payable U/Sec. 28 and 34 of the Land Acquisition Act is payable as per the law laid down by the Full Bench of this Court in the matter of The State of Maharashtra and others Vs. Kailash Shiva Rangari reported in 2016(4) ALL MR 513. I, therefore, pass following order.

O R D E R

I First appeal IS allowed partly.

II impugned judgment and award dated 19.09.2017 passed by Civil Judge Senior Division, Latur in L. A. R. No. 200 OF 2016 stands modified to the extent of clauses (2) and (5) of the operative part of the judgment only. Those clauses shall be substituted by following clauses :

2. The respondents shall pay to the claimant compensation at the rate of Rs. 868/- (Rs. Eight hundred Sixty Eight only) per square foot against the land acquired after deducting the amounts already paid.

5. The respondents shall pay the interest on the enhanced compensation amount @ 9% per annum from the date of award and @ 15% from the date of expiry of said period of one year on the amount as per Sec. 28 of the Act.

III Save and except the above modification remaining award shall stand confirmed.

IV Award be drawn up accordingly.

[SHAILESH P. BRAHME J.]

bsb/March 26