



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

6 FIRST APPEAL NO. 1543 OF 2014

Madhav Gangadharrao Deshmukh

VERSUS

The State Of Maharashtra And Others

...

Mr. G. N. Chincholkar, Advocate for Appellant

Mr. S. G. Sangle, AGP for Respondents/State

WITH

CIVIL APPLICATION NO. 1709 OF 2023 IN FA/1543/2014 WITH

CIVIL APPLICATION NO. 1833 OF 2026 IN FA/1543/2014

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 20.04.2026

PER COURT :-

FIRST APPEAL NO. 1543 OF 2014

1. Learned advocate for the appellant has served notice to respondent No.3 by private service and to that effect, he filed service affidavit on record. However, none appeared for the respondent No.3-acquiring body.

2. This appeal is preferred against the judgment and award dated 11.03.2014 passed by the learned Land Reference Court, Mukhed, District Nanded in L.A.R. No.(55 of 2009) (New)/(268/2008) (Old).

3. The appellant/claimant's land, as shown in the following chart, was acquired for the purpose of the Lendi Major

Project at village Marajwadi, pursuant to the notification issued and published under Section 4 of the Land Acquisition Act, 1894, dated 05.02.1998.

Sr. No.	First Appeal No.	L.A. R No.	Block No.	Land acquired and nature of land
1.	1543/2014	55/2009 (new) 268/2008 (old)	39	3 H 86 R out of which 2 H perennial irrigated and 1 H 86 R seasonally irrigated
			40	11 H 39 R out of which 3 H 50 R perennial irrigated, 7 H 50 R Seasonally irrigated, 39 R non-irrigated land

4. Learned Advocate for the appellant pointed out the pleadings, the evidence, the grounds of objections of appeal and the reasons and findings in the impugned judgment. He submitted that, this Court in First Appeal No.2324 of 2023 decided on 23.02.2026 in the case of ***Hanmant Kashiba Patil Vs. The State of Maharashtra and Ors.*** awarded compensation @ Rs.1,25,000/- per hectare for non-irrigated land and Rs.1,87,000/- per hectare for semi-irrigated land, which was acquired for one and the same purpose under the same notification and were situated in the same village I.e., Kolnoor Tq. Mukhed, Dist. Nanded. Therefore, on the principle of parity, the appellant/claimant is entitled to the same rate of compensation.

5. The learned AGP for the State strongly opposed the submissions. None appeared for respondent No.3-Acquiring body to contest the appeal.

6. On perusal of the impugned judgment and the judgment relied upon by the learned Advocate for the appellant in First Appeal No.2324 of 2023 decided on 23.02.2026 in ***Hanmant Kashiba Patil Vs. The State of Maharashtra and Ors.***, this Court is of the view that the appellant/claimant is entitled to the same rate of compensation on the principle of parity, i.e., Rs.1,25,000/- per hectare for non-irrigated land, Rs.1,87,000/- per hectare for seasonally-irrigated land, and Rs.2,50,000/- per hectare for perennially irrigated land, as the lands involved in the said judgment and in the present appeal were acquired for the same purpose under the same notification and are situated in the same village. The appeal therefore deserves to be allowed by partly setting aside impugned judgment and award. Hence, the following order:

::ORDER::

- I. The First Appeal is allowed.
- II. The impugned judgment and award is partly set aside and modified as under:
 - (a) The appellant/claimant is entitled to compensation @ Rs.1,25,000/- per hectare for non-irrigated land

admeasuring 39 Are, Rs.1,87,000/- per hectare for seasonally-irrigated land admeasuring 9 H 36 Are and Rs.2,50,000/- per hectare for perennial irrigated land admeasuring 5 H 50 Are, including the earlier compensation awarded and received by him, along with all statutory benefits like interest, component and solatium etc., as per the Provisions of the Land Acquisition Act, 1894.

- III. The appellant shall be entitled to the interest under Section 28 and 34 of the Land Acquisition Act, 1894 as per full bench judgment of ***State of Maharashtra Vs. Kailash Shiva Rangari (2016) AIR (Bom.)141***.
- IV. It is clarified that the appellant / claimant is not entitled to the interest for the period of delay, if any, condoned by this Court.
- V. The respondent-Acquiring Authority is directed to deposit the enhanced amount of compensation along with all statutory benefits like component, interest and solatium in this Court as per the provisions of the Land Acquisition Act, 1894 within six months.
- VI. If court fee is not sufficiently paid, the appellant-claimant shall pay deficit court fee. On receiving the same, the enhanced amount of compensation be paid to the claimant.
- VII. Award be drawn up accordingly.
- VIII. Pending civil applications, if any, are disposed of.
- IX. Record and Proceedings be sent back.

[SANJAY A. DESHMUKH, J.]