



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

62 FIRST APPEAL NO. 3413 OF 2025

VISHNU ABASAHEB BHOKARE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

WITH CIVIL APPLICATION NO. 14057 OF 2025

IN FA/3413/2025

WITH CIVIL APPLICATION NO. 5453 OF 2024

IN FAST/8384/2024

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Advocate for Appellants : Mr. Bhise Vitthal Dnyanoba.

AGP for Respondent/s-State : Mr. S. V. Hange.

Advocate for Respondent No.3 : Mr. Tambe Rahul A.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.01.2026

FINAL ORDER :-

First Appeal Stamp No.8384 of 2024

1. Heard both sides finally at the admission stage.
2. Appellants are challenging judgment and award passed by the Reference Court in LAR.No.113 of 2010. On the ground of parity, appellant is claiming rate of Rs.2493/- treating the land as a dry land. The common order passed on 26.11.2025 in the matters arising out of the same acquisition proceedings acquiring the land from same village i.e. Shrishti, Taluka Partur, District Jalna is placed on record.
3. The submissions are contested by the respondents. It is submitted

that award of interest is vulnerable. Appellants have not established entitlement for enhancement of rate. The ground of parity cannot be attracted.

4. Appellants' land is acquired for Kasura Bruhat Minor Project and it is from village Shrishti, Taluka Partur. It's a dry land.

5. Following are the material particulars in the present appeal :

First Appeal Stamp No.	L.A.R. No.	Gut No.	Total area	U/sec.4 notification date	U/sec.11 Award date	SLAO rate per R at the time of passing of Award	Reference Court awarded rate per R	Type of land reference court awarded	Hon'ble High Court awarded rate in same village, same award in FA/3202/2025
8384/2024	113/2010	361/P	01 H 20 R	06.07.2000	11.12.2003	Rs.635/- per R.	Rs.1,100/- per R.	Dry Land	2493.22/-

6. I have gone through common judgment dated 26.11.2025 passed by this Court allowing the appeals partly and fixing the rate @ Rs.2493.22/- per R. in those matters also. The lands from village Kasura were acquired under identical notification. Present case is squarely covered by the judgment. I have no difficulty in following the consistent view taken by this Court in awarding rate of Rs.1,728/- per R. with benefit of escalation for three (3) years and four (4) months. Considering the escalation @ of Rs.11% per annum, the appellants are entitled to have rate of Rs.2493.22/- per R. I therefore, pass following order :

ORDER

(i) First appeal is allowed partly.

- (ii) Appellants shall be entitled to receive rate of Rs.2493.22/- per R.
- (iii) The appellants shall not be entitled to interest and statutory benefits for the delayed period.
- (iv) The appellants shall be entitled to interest under Section 28 and 34 from the date of award as per law laid down in the judgment of Full Bench in case of ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***.
- (v) Save and except above modification. Rest of the impugned judgment and award shall stand unaltered.
- (vi) The appellants shall pay deficit court fees, if any.
- (vii) Record and proceeding be sent back to the concerned Court, if any.
- (viii) Award be drawn accordingly.
- (ix) List First Appeal No.3413 of 2025 in disposal category on 02.02.2026.

(SHAILESH P. BRAHME, J.)

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