



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

10 CIVIL APPLICATION NO. 2136 OF 2026  
IN FAST/3246/2026  
WITH  
CIVIL APPLICATION NO. 2137 OF 2026  
IN FAST/3248/2026  
WITH  
CIVIL APPLICATION NO. 2139 OF 2026  
IN FAST/3254/2026  
WITH  
CIVIL APPLICATION NO. 2142 OF 2026  
IN FAST/3260/2026  
WITH  
CIVIL APPLICATION NO. 2144 OF 2026  
IN FAST/3191/2026  
WITH  
CIVIL APPLICATION NO. 2138 OF 2026  
IN FAST/3250/2026  
WITH  
CIVIL APPLICATION NO. 2140 OF 2026  
IN FAST/3256/2026  
WITH  
CIVIL APPLICATION NO. 2143 OF 2026  
IN FAST/3262/2026  
WITH  
CIVIL APPLICATION NO. 2141 OF 2026  
IN FAST/3258/2026

SHRIRANGRAO S/O. TATERAO JOGDAND.

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR PARBHANI  
AND ORS.

...

Advocate for Applicant : Mr. Vitthal D Bhise  
AGP for Respondent nos. 1 & 2 : Mr. V. V. Jahagirdar  
Advocate for Respondent No. 3 : Mr. B.R. Surwase

...

CORAM : SHAILESH P BRAHME, J.  
DATE : 16.03.2026

PER COURT :

Learned counsel Mr. Surwased undertakes to file Vakalatnama on  
behalf of Acquiring Body within three weeks.

**CIVIL APPLICATIONS FOR DELAY CONDONATION :**

2. Heard both sides. The applicants seek to condone delay of 2746 days in preferring the appeals.
3. For the reasons stated in the applications, delay is sought to be condoned. It is submitted that appeals are squarely covered by the view taken by this Court and can be disposed of.
4. The applications are contested by the respondent-Acquiring Body.
5. The averments of the applications have not been controverted by the respondents. There is no reason to infer any oblique motive on the part of the applicants in preferring the appeals belatedly. They are ready to give up interest and statutory benefits for the delayed period.
6. The delay stands condoned on condition that the applicants shall not be entitled to interest and statutory benefits for the delayed period.
7. The Civil Applications are disposed of.

**FIRST APPEALS (STAMP):**

8. Taken up for final disposal with the consent of the parties.
9. The appellants, the land owners, are knocking the doors of this Court being aggrieved by inadequate compensation awarded by the Reference Court in their respective reference applications. On the ground of parity they are claiming enhancement in rate. A copy of common order passed on 25.02.2026 in the matters of acquisitions of lands from self-same village has been placed on record to remove the disparity. Besides that learned counsel has also placed on record a chart giving material particulars.
10. Learned counsel Mr. Surwase appearing for the respondent-Acquiring Body opposes the submissions. It is submitted that the appellants have failed

to make out any ground for enhancement of the compensation.

11. The lands of the appellants from village Tidipimpalgaon stood acquired vide notification under Section 4, issued on 03.07.2007 for canal of Nimna Dudhna Project. The classification of the lands have not been disputed by either of the sides. Following are the material particulars :

| FAST No.  | LAR No. & decided on 9.04.2018 | Gut No.        | Total Acquired area                           | Notification u/s.4 | Award u/s. 11 date | SLAO rate as per award   | Ld. Reference Court enhanced rate per R                      | Type of land Ld. Reference Court awarded |                |           |          |
|-----------|--------------------------------|----------------|-----------------------------------------------|--------------------|--------------------|--------------------------|--------------------------------------------------------------|------------------------------------------|----------------|-----------|----------|
|           |                                |                |                                               |                    |                    |                          |                                                              | Jirayat                                  | Semi irrigated | Irrigated | Pot khab |
| 3246/2026 | 150/2012                       | 86             | 0H 72R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-               | Rs. 2205/-                                                   | 0H 72R                                   | --             | --        | --       |
| 3248/2026 | 35/2012                        | 31<br>28<br>30 | 0H 13R<br>0H 55R<br>0H 01R<br>-----<br>0H 69R | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 2205 for dry land<br>Rs. 4410/- for fully irrigated land | 0H 13R                                   |                | 0H 56R    |          |
| 3254/2026 | 28/2012                        | 90             | 0H 40R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 4410/- for fully irrigated land                          |                                          |                | 0H 40R    |          |
| 3260/2026 | 3/2012                         | 81             | 0H 79R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 3308/- for semi-irrigated land                           |                                          | 0H 79R         |           |          |
| 3191/2026 | 4/2012                         | 83             | 0H 45R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-               | Rs. 2205/- for dry land                                      | 0H 45R                                   |                |           |          |
| 3250/2026 | 33/2012                        | 90<br>31       | 0H 39R<br>0H 05R<br>-----<br>0H 44R           | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 2205 for dry land<br>Rs. 4410/- for fully irrigated land | 0H 5R                                    |                | 0H 39R    |          |
| 3256/2026 | 05/2012                        | 81             | 0H 49R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 3308/- for semi-irrigated land                           |                                          | 0H 49R         |           |          |
| 3262/2026 | 40/2012                        | 90             | 1H 27R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 2205 for dry land                                        | 1H 27R                                   |                |           |          |
| 3258/2026 | 39/2012                        | 81             | 0H 37R                                        | 03.07.2007         | 26.04.2010         | Rs. 1100/-<br>Rs. 1130/- | Rs. 3308/- for semi-irrigated land                           |                                          | 00H 37R        |           |          |

12. The issue involved in these matters is no more *res integra*. This court has been consistent in adopting rate of Rs. 2500/- per Are for dry land, Rs. 3750/- per Are for semi-irrigated land and Rs. 5000/- per Are for fully irrigated land. Detailed order has been passed in the matter of **Pralhad Annasaheb Nirwal vs. State of Maharashtra and others in First Appeal No.1778 of 2024 with connected matters on 11.12.2025.**, in which the above referred rate were fixed considering the acquisition of land from the villages forming cluster for Nimna Dudhna Project. When the lands from village Tidipimplagaon itself were acquired, this Court had occasion to allow the appeals vide common order dated 25.02.2026. In that case the land was dry land and irrigated land and therefore rate of Rs. 7124/- per Are for dry land and Rs. 14248/- per Are for irrigated land respectively was fixed.

13. Present appeals are squarely covered by the consistent view being taken by this Court. Needless to mention that the appellants are entitled to receive benefit of escalation by cumulative effect. The period of escalation is more than 11 years out of that they are entitled to get increment by 10% per annum for 11 years. The appellants are entitled to receive rate of Rs. 7124/- per Are for dry land, Rs. 10,648/- per Are for semi-irrigated land and Rs. 14,248/- per Are for fully irrigated land, as the lands may be. I, therefore, pass following order:

### ORDER

(I) First Appeals are allowed partly.

(II) The appellants are entitled to receive Rs. 7124/- per Are for dry land, Rs. 10,648/- per Are for semi-irrigated land and Rs. 14,248/- per Are for fully irrigated land, as the lands may be.

(III) The appellants shall not be entitled to the interest and statutory benefits for the delayed period.

(IV) The appellants 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]**.

(V) Save and except above modification, the impugned judgment and award shall stand unaltered.

(VI) Record and Proceeding be sent back to the Reference Court.

(VII) The appellants shall pay deficit court fees.

(VII) Award be drawn accordingly.

( SHAILESH P. BRAHME, J.)

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