



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**22 CIVIL APPLICATION NO. 2464 OF 2026  
IN FAST/5301/2026**

BHAUSAHEB S/O. BABASAHEB GHODKE.  
*VERSUS*  
THE STATE OF MAHARASHTRA THROUGH THE DIST COLLECTOR  
PARBHANI AND ORS.

**WITH  
CIVIL APPLICATION NO. 2467 OF 2026  
IN FAST/5292/2026**

**WITH  
CIVIL APPLICATION NO. 2469 OF 2026  
IN FAST/5278/2026**

**WITH  
CIVIL APPLICATION NO. 2472 OF 2026  
IN FAST/5264/2026**

**WITH  
CIVIL APPLICATION NO. 2471 OF 2026  
IN FAST/5253/2026**

**WITH  
CIVIL APPLICATION NO. 2470 OF 2026  
IN FAST/5258/2026**

**WITH  
CIVIL APPLICATION NO. 2465 OF 2026  
IN FAST/5286/2026**

**WITH  
CIVIL APPLICATION NO. 2466 OF 2026  
IN FAST/5267/2026**

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Advocate for applicants / appellants (in all matters) : Mr. A.H. Korhalkar  
h/f. Mr. Vitthal D. Bhise

AGP for the respondent – State : Mr. C.V. Bhadane  
Advocate for respondent no. 3 : Mr. B.R. Surwase in all matters

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**CORAM : SHAILESH P. BRAHME, J.**

**DATE : 30 MARCH 2026**

**PER COURT :****Civil Applications for Condonation of Delay**

The applicants are seeking condonation of delay of 3945 days, respectively, in preferring the First Appeals.

2. The applications are contested by the respondents.

3. Considering the contentions in the application, I find no *mala fide* on the part of the applicants in preferring the Appeals belatedly.

4. In view of the consistent view taken by this Court, appellants are ready to give up the interest and statutory benefits for the delayed period.

5. Delay stands condoned. Civil Applications No. 2464, 2472, 2471, 2466, 2465, 2470, 2469, 2467 all of 2026, are allowed.

**First Appeals :**

6. The appellants are challenging the order and award passed by the reference Court on the ground of parity and consistent view being taken in number of matters relying upon judgment of **Pralhad Annasaheb Nirwal vs. State of Maharashtra and others** in **First Appeal No.1778 of 2024** with connected matters on **11.12.2025**.

7. The classification of the lands acquired, has not been disputed by either of the parties.

8. The learned AGP opposes the submissions and contentions of the appellants.

9. Following are the material particulars of the Appeals :

| FA<br>(St.) No.                                         | LAR No.                      | Gut<br>No. | Total<br>Acqu<br>ired<br>area | Notificatio<br>n u/s.4 | Award u/s.<br>11 date | SLAO<br>rate per<br>R as per<br>award | Ld.<br>Reference<br>Court<br>enhanced<br>rate per R | Type of land Ld.<br>Reference Court awarded |                       |               |                   |
|---------------------------------------------------------|------------------------------|------------|-------------------------------|------------------------|-----------------------|---------------------------------------|-----------------------------------------------------|---------------------------------------------|-----------------------|---------------|-------------------|
|                                                         |                              |            |                               |                        |                       |                                       |                                                     | Dry<br>Land                                 | Semi<br>irrigat<br>ed | Irrig<br>ated | Pot<br>khar<br>ab |
| 5301/<br>2026<br>Bhausahab<br>B. Ghodke                 | 158/2010<br>(23.01.<br>2015) | 100        | 00 H<br>18 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00H<br>18 R                                 | --                    | --            | --                |
| 5292/2026<br>Mandabai<br>(died) Thr<br>LRs<br>Mahadev   | 165/2010<br>(23.01.<br>2015) | 98         | 00 H<br>19 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>19 R                                | --                    | --            | --                |
| 5278/2026<br>Babasaheb<br>D. Ghodke                     | 159/2010<br>(23.01.<br>2015) | 97         | 00 H<br>26 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>26 R                                | --                    | --            | --                |
| 5264/2026<br>Raosaheb<br>(Died)<br>Thr.LR's<br>Gangubai | 166/2010<br>(23.01.<br>2015) | 94         | 00 H<br>77 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>77 R                                | --                    | --            | --                |
| 5253/2026<br>Taramati<br>B. Ghodke                      | 150/2010<br>(23.01.<br>2015) | 100        | 00 H<br>12 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>12 R                                | --                    | --            | --                |
| 5258/2026<br>Sahebrao<br>(Died)<br>Thr.LR's<br>Tukaram  | 167/2010<br>(23.01.<br>2015) | 100        | 1 H<br>5 R                    | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>77 R                                | --                    | --            | --                |
| 5286/2026<br>Pandurang<br>V. Ghodke                     | 162/2010<br>(23.01.<br>2015) | 95         | 00 H<br>37 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>37 R                                | --                    | --            | --                |
| 5267/2022<br>Vimalabai<br>L. Ghodke<br>& Ors.           | 164/2010<br>(23.01.<br>2015) | 95         | 00 H<br>37 R                  | 16.02.2001             | 04.09.2004            | Rs.650/-                              | Rs.2000/-<br>Dry Land                               | 00 H<br>37 R                                | --                    | --            | --                |

10. Appellants' lands from village Pimpri (Kh.), Taluka – Sailu, District – Parbhani stood acquired vide notification dated 16.02.2001. In similarly situated matters, while acquiring lands from selfsame village, this Court has enhanced compensation to the tune of Rs. 3982/- per R vide order dated 02.02.2026 passed in FA 1800 of 2024 (*Bhanudas S/o Dnyanoba Dasalkar and others V. The State of Maharashtra and others*) and connected First Appeal.

11. Present case is squarely covered by order passed by this Court in FA / 1800 /2024 (supra), which inter alia refers to the consistent view being taken in **Pralhad Annasaheb Nirwal** (supra). Appeal deserves to be allowed.

12. Hence, I pass the following order :-

#### **ORDER**

- a. First Appeals are allowed partly.
- b. The appellants shall be entitled to receive rate of Rs.3982/- per Are for dry land.
- c. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.
- d. 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]**.
- e. Save and except above modification, the impugned judgment and award shall stand unaltered.

- f. Record and Proceeding be sent back to the Reference Court.
- g. The appellants shall pay deficit court fees.
- h. Awards be drawn accordingly.

**[ SHAILESH P. BRAHME ]**  
**JUDGE**

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