

MHOS120003352021



Received on : 08.12.2021
Registered on : 08.12.2021
Decided on : 25.06.2026
Duration : Ys. Ms. Ds.
04 : 06 : 17

IN THE COURT OF THE JT. CIVIL JUDGE SENIOR DIVISION**BHOOM, DIST-OSMANABAD.**

(Presided over by: R.D. Dange)

L.A.R. No.321/2021**CNRNOMHOS120003352021****Exh.No.54****Suryabhan Shripati Kale (Died),****Through His L.Rs.****A/1) Lata Suryabhan Kale,**

Age – 55 years., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/2) Datta Suresh Kale,

Age – 34 years., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/3) Bhagwat Suresh Kale,

Age – 31 years., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/4) Swati Rajendra Gore,

Age – 35 years., Occu – Agriculture,

R/o – Thergaon, Pune.

Claimants..

Vs.

1. The State of Maharashtra
Through Collector, Osmanabad
2. The Special Land Acquisition Officer,
Medium Project No.-2, Osmanabad.
3. The Executive Engineer,
Lift Irrigation Division, Osmanabad.

Opponents..

ALONG WITH

L.A.R. No. 320/2021

CNRNOMHOS120003342021

Exhibit No.46

MHOS120003342021



Received on : 08.12.2021
Registered on : 08.12.2021
Decided on : 25.06.2026
Duration : Ys. Ms. Ds.
04 : 06 : 17

Bibhishan Shripati Kale (**Died**),

Through His L.Rs.

A/1) Rajubai Bibhishan Kale,

Age – 60 Yrs., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/2) Birmal Bibhishan Kale,

Age – 36 Yrs., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/3) Suvarna Bapu Hapate,

Age – 32 Yrs., Occu – Agriculture,

R/o – Padoli, Taluka – Bhoom,

Dist– Osmanabad.

A/4) Rekha Annasaheb Barkhade,

Age – 30 Yrs., Occu – Agriculture,

R/o – Devangar, Taluka – Bhoom,

Dist– Osmanabad.

Claimants..

Vs.

1. The State of Maharashtra
Through Collector, Osmanabad
2. The Special Land Acquisition Officer,
Medium Project No.-2, Osmanabad.
3. The Executive Engineer,
Lift Irrigation Division, Osmanabad.

Opponents..

Appearances -

For Claimants	:	Adv. V.D. Pawar
For Opponent No.1 & 2	:	A.G.P.
For Opponent No.3	:	Ex-parte.

JUDGMENT
(Delivered on 25/06/2026)

Nature of petition

1. Both reference petitions are filed by claimants under Section 18 of Land Acquisition Act, 1894 (for the sake of convenience hereinafter referred to as “The Act”) for enhancement of compensation awarded by Special Land Acquisition Officer, Medium Project No.2, Osmanabad.
2. Both references arising out of same acquisition proceeding under same notification of the same village. By order below Exh. 38 in L.A.R. 320/2021 both L.A.R. were clubbed together. Therefore, to avoid any contradictory findings, in my considered view, it will be just and proper to decide both references simultaneously by way of common judgment. Accordingly, they are taken up for delivering common judgment.

Brief contentions in the reference petitions:

3. The Special Land Acquisition Officer, Medium Project No.2, Osmanabad has acquired following lands of claimants for the purpose of Percolation Tank, Padoli No.1, Tq. Bhoom, Dist. Osmanabad vide Award No.2004/ LNQ/A-56 dated 17.11.2008.

Sr. No.	L.A.R.	Gat Number	Area adm.	Other particulars/ things
1.	L.A.R. No. 321/2021	294	01H:19R	-
2.	L.A.R. No. 320/2021	295	01H:34R	-

4. Facts in L.A.R. No. 321/ 2021 are taken as representative fact. It is contented that notifications under Section 4 and 6 of the Act were published in the official gazette on 22.1.2005 and 12.6.2008 respectively and they were also published in the local news paper. Claimant did not receive notice under section 9 (3) (4) of the Act. However, he had submitted his claim before Land Acquisition Officer claiming additional compensation @ Rs.3,40,000/- per acre but the same is not considered by the L.A.O. without any reason.
5. The Land Acquisition Officer did not issue any notice nor give any intimation about passing of the award to the claimant. He was not present before the L.A.O at the time of passing of award. The award is passed behind back of the claimant and without holding any proper enquiry. The L.A.O did not give any opportunity of hearing to him nor any date was fixed for adducing the evidence. The notices under Section 12 (2) of the Act was received by him on 26.5.2009 and he has withdrawn the compensation under protest in writing as the same is inadequate. He came to know about award when he withdrawn the compensation under protest on the next day immediately. The petition is filed within limitation.
6. L.A.O has assessed the market price of acquired land on the basis of land revenue assessment of the land which is incorrect method. The acquired land is fertile one. Sale instances of higher amount of consideration even though they were available, has not been considered by L.A.O. Land under sale instances

referred in award by L.A.O. are neither of quality of land acquired nor situated in close vicinity. Acquired lands are of high and rich quality. It is *bagayat* land with help of well water. He used to take double crop in the land and was getting annual income of Rs. 20,000/- per acre after deducting cost of cultivation. His village is developed one. Lastly, claimants in both references have claimed compensation @ 3,40,000/- per acre for acquired lands.

7. Respondent No.1 & 2 appeared and filed their W.S at Exh.42. Respondent No.3 did not appear. So, the suit is proceeded ex-parte against him.

Brief contentions in the written statement of respondent No.1 and 2:

8. Respondent no.1 & 2 have admitted that the lands of claimants as mentioned in the Award Exh.53 were acquired for percolation Tank Padoli No.1, Tq. Bhoom. They have denied other contentions put forth by the claimants. They further submitted that, the L.A.O after following due procedure as per Land Acquisition Act issued notices under Section 4, 9(3), (4) and 12 (2) of the said Act to the claimants but claimant neither replied the notice under Sec. 9(3),(4) by submitting specific claim nor submitted documentary proof regarding market price of the acquired lands at the time of acquisition. Claimants have claimed wrong compensation amount for acquired lands. Reference regarding quality of the acquired lands are not true. On the contrary the properties in question were dry land having low fertility and low market price in the vicinity at the time of acquisition. L.A.O. by perusing the sale

instances prior to three years before notification under Section 4 of the Act has given adequate compensation to the claimants. So, also claimants have mentioned wrong market price of the acquired lands in reference petitions. Claimants have not received the amount of compensation under protest and present references are not filed within limitation. They have prayed to dismiss the reference petitions.

Arguments

9. Heard argument of Adv. V. V. Pawar for claimants. He has argued in line with the reference petitions. No argument was canvassed by A.G.P. for respondents No.1 & 2.

Issues -

10. I have framed issues at exhibits 43 in both reference petitions. Issues in both reference petitions are same. I reproduce the same here and record my findings thereon for the reasons to follow them-

Issue No.	Issues	Findings
1.	Whether the references are within limitation?	Yes
2.	Whether the claimants are entitled to get enhanced compensation as prayed?	Partly Yes
3.	What order and award?	References are partly allowed

Reasons

11. Claimant in L.A. R. 321/2021 have examined claimant No.2 Datta Kale as C.W.1 at Exh.39 by filing his affidavit of examination in chief. They have relied upon following documents to support their claim:

Sr. No.	Exhibit Number	Description of document	The Witness who proved or attested the document.
1	Exh.48 in main LAR No.321/2021	Certified copy of 7/12 extract of land Gat No.295	Public document proved by CW-1
2.	Exh.49 in main LAR No.321/2021	Certified copy of Sale-deed No.1560/2003	Public document proved by CW-1
3.	Exh.51 in main LAR No.321/2021	Copy of death certificate viz. Suresh Shripati Kale dt 09.09.2008	Public document proved by CW-1
4.	Exh.52 in main LAR No.321/2021	Copy of heirship certificate issued by Sarpach Grampanchayat Sukta, Tq. Bhoom	Public document proved by CW-1
5.	Exh.53 in main LAR No.321/2021	Certified copy of Award and E statement	Public document proved by CW-1
6.	Exh.44 in LAR	Copy of death certificate viz. Bibishen Shripathi Kale dt	Public document proved by CW-1

	No.320/2 021	26.12.2018	
7.	Exh.45 in LAR No.320/2 021	Copy of heirship certificate issued by Sarpanch Grampanchayat Sukta, Tq. Bhoom	Public document proved by CW-1

Claimants in L.A. R. 320/2021 have examined claimant No. 2 Birmal Kale as C.W. 1 at Exh.39 by filing his affidavit of examination in chief.

12. **Admitted Facts** –

In view of contentions of the reference applications and award passed by the Special Land Acquisition Officer, Medium Project No.2, Osmanabad in the proceeding bearing no.2004/SLA/A-56 following facts appears to be no longer in dispute –

1. Land bearing Gat No.294 area ad-measuring 01H:19R in L.A.R. No.321/2021 and Gat No.295 area ad-measuring 01 H. : 34 R in L.A.R. No.320/2021 of claimants situated in village Padoli, Taluka – Bhoom, District-Osmanabad have been acquired for public purpose i.e. Percolation Tank Padoli No.1, situated at Padoli, Tq. Bhoom, Dist.Osmanabad.
2. Claimants being the heirs of deceased owners are the person interested in the acquired lands.
3. The last date of publication of notification under section 4 of the Land Acquisition Act was on 14.09.2006.
4. The last date of publication of notification under section 6 of the Land Acquisition Act was on 22.05.2008.
5. The Award came to be passed on 17.11.2008.

6. The date of applications to Collector for reference to the Court is 05.06.2009 which can be seen from letter of Deputy Collector (Land acquisition), Osmanabad annexed with Exh.01 and remark on Exh.1.

7. The date of possession of acquired lands by opponents is 09.07.2004 which can be seen from covering letter addressed by Spl. Land Acquisition Officer, Medium Project No.2, Osmanabad to Hon'ble District Court, Osmanabad along with present both references.

13. To substantiate claim, the heir of deceased claimant Suryabhan viz. Datta Suresh @ Suryabhan Kale adduced his oral evidence as (C.W.1) at exhibit 39 by way of affidavit of examination-in-chief in L.A.R. No.321/2021 and the heir of deceased claimant Bibhishan viz. Birmal Bibhishan Kale adduced his oral evidence as (C.W.-1) at exhibit 39 by way of affidavit of examination-in-chief in L.A.R. No.320/2021.

As to issue no.1:

14. As far as point of limitation is concerned, as per section 18(2) of the Land Acquisition Act, 1894, application for reference shall be made, in case of claimants present or represented before the Collector at the time when award was made, within six weeks from date of Collector's Award and in other cases, within six weeks of the receipt of notice from the Collector under section 12(2), or within six months from the date of Collector's award, whichever period shall first expire.

15. Firstly, it is to be noted that, vide covering letter

No.2021/Deputy LA/ Kavi of 11.10.2021 the opponents therein stated that, notice u/s 12(2) of the Act was issued to claimants on 13.04.2009. While claimants filed references with them on 05.06.2009. They have not described particular date on which the notice were served to the claimants. They have also not filed copies of the notices on record to show the date of issuance of notices. The L.A.O. has mentioned in the covering letter that the references are within limitation. Therefore, from the statement of L.A.O. itself in the covering letter, it can be ascertained that present references are filed within 6 weeks from date of receipt of notice u/s 12(2) of the Act. Therefore, on the basis of this alone it can be held that present references have been filed within limitation. Apart from this oral evidence of claimants on the point of filing of reference within limitation has remained unshaken. Now, in this regard burden of service of notice u/s 12(2) of the Act is on the opponents. However, neither the opponents have produced any documentary evidence nor adduced any oral evidence to prove service of notice u/s 12(2) of the Act on the claimants. Apart from this, it is settled position of law that, an award passed by Land Acquisition Officer, is nothing but merely an offer. As per Indian Contract Act, communication of such offer is completed when it is brought to the notice of offeree. In case on hand, if it is the contention of opponents that, references are not within limitation then burden of proving communication of offer was upon them. However, opponents have not adduced any evidence to show as to on what date exactly the award was communicated to claimants. On the contrary claimants have submitted that they got knowledge of the award on 27.05.2009.

Considering the date of getting knowledge averred by the claimants and date of filing of references by them, it is clear that references are filed within six weeks from date of getting knowledge of the awards.

16. Here I would like to place reliance upon the judgment of the Hon'ble Apex Court in **Raja Harish Chandra Raj Singh vs The Deputy Land Acquisition Officer & ors. AIR 1961 SC 1500** where in the Hon'ble Apex Court has held that, "the award of the Collector is not decision but an offer of compensation on behalf of the Government to the owner of the property and it was not effective until it was communicated to the owner. It has also held that the making of award did not consist merely in the physical act of writing the award or signing it or filling it in the office of Collector, it also involved the communication of the award to the owner either actually or constructively. It also observed that, the expression "the date of the award" in the proviso to Section 18 means the date when the award was communicated to the owner or is known by him either actually or constructively.
17. Considering the date of getting knowledge of the award by the claimants in present case it transpires that the references are filed within limitation as pleaded by claimants. Therefore, on the basis of all these discussion, I have no hesitation to hold that, present references are filed within limitation. Accordingly, I record my finding to the issue no.1 in "Affirmative".

As to issue no.2 :

18. Before discussing and appreciating evidence it is necessary

to consider some settled legal propositions of the Act. Both references to court under Land Acquisition Act cannot be considered as appeal from award. Reference court is required to independently determine fair market value of the acquired lands on the date of notification u/s 4 of the Act.

19. In ***Chimanlal Hargovinddas Vs. Special Land Acquisition Officer, Puna & Anr. reported in A.I.R. 1988 S.C. 1652, Hon'ble Apex Court*** observed that, market value of acquired land has to be determined as on the crucial date of publication of notification under Section 4 of the Land Acquisition Act. It is further observed therein that, while determining market value it has to be assumed that, valuer is hypothetical purchaser willing to purchase land from the open market and is prepared to pay a reasonable price as on date of notification u/s 4 of the Act. Similarly, it also has to be assumed that the vendor is willing to sell the land at a reasonable price. In doing so, by the instance method, the court has to correlate the market value reflected in the most comparable genuine instance which provides the index of market value. A balance-sheet of plus and minus factors may be drawn for this purpose and the relevant factors may be evaluated in terms of price variation as a prudent purchaser would do. The market value of land under acquisition has thereafter to be deduced by loading the price reflected in the instance taken as norm for plus factors and unloading it for minus factors.

20. In the case of ***The Special Land Acquisition Officer, Bangalore, Vs. T. Adinarayan Setty reported in AIR 1959 S.C. 429, Hon'ble Apex Court*** held that it is not disputed that the function of

the court in awarding such compensation under the Act is to ascertain the market value of the land as on date of notification u/s 4(1) and the valuation should be made on the basis of an opinion of experts, the price paid within a reasonable time in bonafide transaction of purchase of lands acquired or lands adjacent to the lands acquired and possessing similar advantages and a number of years purchase of the actual or immediately prospective profits of the lands acquired.

21. According to the claimants their lands were Irrigated lands. The acquired lands are of black cotton soil up to 15 to 20 ft. in depth. They used to take double crops in a year in the acquired lands and were getting annual income of Rs. 20,000/- per acre after deducting cost of cultivation. They used to send sugarcane to Shivshakti and Narshinha sugar factories. They had raised fertility of land. They have given evidence that their land are situated at a distance of 2 to 3 Km. from villages Bhongiri and Songiri. Their land were having high market price at the time of notification under Section 4 of the Act but this factor is not considered by Land Acquisition Officer. They have also given evidence that method applied by L.A.O. for ascertaining the market price of acquired lands are not legal and proper. They have no other source of income then the agricultural lands. It is also their evidence that they were not given any chance by the L.A.O. to prove the market price of acquired lands. According to them, market price of their lands were more than Rs.3,40,000/- per acre on the date of notification under Section 4 of the Act. They affirms that L.A.O. has awarded

inadequate compensation for the acquired lands. Claimants have claimed enhanced compensation @ Rs. 3,40,000/- per acre in respect of their acquired lands. Averments and oral evidence of claimants are that, L.A.O. has not properly assessed market value of acquired lands.

22. In cross examination, claimants denied suggestion of A.G.P that, respondent had issued necessary notices under Land Acquired Act to them thorough Talathi. They say that their father have withdrawn the compensation awarded by LAQ under protest. They could not state whether their father had filed any document on record showing that market value of acquired land was greater than the amount fixed by L.A.O. They have denied suggestion that, their village is a small village. They admit that they have some land after acquisition of land in question. They admits that they have not produced any revenue document showing the distance between the acquired lands and land under sale instances. They have denied suggestion that Land Acquisition Officer has granted proper compensation of the acquired land to them.

23. The first question required to be decided is with regard to nature of acquired lands. According to claimants acquired lands were irrigated lands whereas as per defence contention they were non-irrigated land. In E-statement acquired lands are shown as non-irrigated lands. Claimant in L.A.R. No.321 have filed copy of 7/12 extract of land gat No.295. There is no remark of existence of any source of water in other right column of the extract. Claimant has not filed any document on record showing existence of any source

of water in the acquired lands. There is no document furnished on record by them to show that they used to take double crops in a year in the acquired lands and used to get income of Rs. 20,000/- per acre annually after deducting the cost of cultivation. There is no cogent and reliable evidence on record to show that acquired lands were irrigated lands. So, evidence of claimants that the acquired lands were irrigated is not trustworthy.

24. Ld. counsel for claimants relied upon sale-instances at exhibit 49 in support of their claim for enhanced compensation. It appears from the sale instance that the subject land of sale-deed was of the same village and the transaction was taken place on 21.07.2003 i.e. prior to about Three years and two months of the notification under Section 4 of the Act. It is pertinent to note that, the land comprised in the sale instance was non-irrigated land and the acquired lands are also non-irrigated land. It appears that vide the sale instance land adm. 08R was sold for consideration of Rs.25,000/-. It means market value of land under sale instance was Rs.3,125/- per R which means Rs.1,25,000/- per acre. Therefore, I am of the considered view that, it would be proper and justifiable to take into consideration sale-instance at exhibit 49 while determining market value of acquired lands on the date of notification u/s 4 of the Act.

25. On going through certified copy of Award and E-statement at exhibit 53 it transpires that; L.A.O. divided acquired land in group 'A', on the basis of land revenue assessment. In my considered view, fixing the market value of acquired land on the basis of such

assessment itself is orthodox method. From further perusal of award, it reflect that there was only one sale-instance available for consideration before the L.A.O. However, L.A.O. did not consider the sale-instance on the ground that market value of the acquired land can not be determined on the basis of sole transaction and that land under sale-instance was situated at the far distance from the acquired land. Considering the consideration amount and area of the land sold by the sale instance referred in the award, it appears that the land referred in the sale instance in the award was sold at Rs.19047/- per acre. However, the sale instance at Exh.49 relied upon by Ld. Advocate for claimants shows that similar potential land was sold at Rs.1,25,000/- per acre from the same village. So, I deem it necessary to consider sale instance Exh.49 relied upon by claimant which is of higher consideration amount to fix the market value of acquired lands. Therefore, I determine the market value of acquired land on the date of notification under Section 4 of the Act as Rs. 1,25,000/- per acre.

26. In case in hand, admittedly, date of possession of acquired lands is 09.07.2004 which is before the date of publication of notification u/s 4 of the Act which is 14.09.2006. The ***Hon'ble Bombay High Court (Nagpur bench) in case of State of Maharashtra, Sub-Divisional Officer Vs. Kailash Shiva Rangari reported in 2016 (3) Mh.L.J. 457*** has held as follows –

1. If the possession of the land under acquisition is taken under section 16 of the said Act i.e. after an award is made by Collector under section 11 therein, the interest would be payable u/s 34 from

the date of passing of the award.

2. The interest as provided under section 34 of the said Act shall start running from the date of possession, only if the possession is taken by the Collector in exercise of his powers under section 17 of the said Act which would obviously be after issuance of notice u/s 9(1) of the said Act. If the possession is taken under section 17, the interest payable under section 34 of the said Act shall start running from the date of possession and not from the date of award.

3. Where the possession of the land under acquisition is taken prior to issuance of notification under section 4(1), then there would be no question of invoking the urgency clause under Section 17 of the said Act and the interest u/s 34 shall start running from the date of the award.

4. The starting point for purposes of calculating the amount of additional component under section 23(1-A) of the said Act at the rate of twelve per centum per annum is the date of publication of the notification under section 4 of the said Act, and the terminal point is either the date of the award or the date of taking possession, whichever is earlier.

27. In view of above ruling of Hon'ble Bombay High Court, in case in hand, as the possession of the acquired land was taken on 09-07-2004 i.e. before date of publication of notification u/s 4 of the Act, there does not arise any question of invoking urgency clause under section 17 of the Act and therefore, the interest under section 34 of the Act at the rate of 9% per annum on the amount of compensation determined by the Special Land Acquisition Officer,

Medium Project No.2, Osmanabad shall start running from date of passing of award i.e. 17.11.2008 till the date of payment of original compensation awarded by Land Acquisition Officer to the claimant in this reference.

28. With regard to interest u/s 28 of Land Acquisition Act, in case at hand, as the possession of acquired lands was taken even before the notification u/s 4 of the Act, therefore, there does not arise any question of payment of interest u/s 28 of the Act from date of possession of acquired lands. Under this situation, interest u/s 28 at the rate of 9% per annum on the enhanced amount would be for one year commencing from date of passing of award i.e.17.11.2008 to 17-11-2009 and thereafter @ 15% per annum on the enhanced amount till it's realization.

29. With regard to component u/s 23(1A) of the Act, as in case in hand, the possession of acquired lands was taken even before the date of notification u/s 4 of the Act, therefore, additional component at the rate of 12% per annum on the market value of lands as determined would be liable to be paid from the date of notification issued u/s 4 of the Act i.e. from 14-09-2006 to the date of award i.e.17.11.2008 because even though the date of taking possession in present case comes before date of passing of award but the possession contemplated by section 23(1A) is the possession either u/s 16 i.e. after the passing of award or u/s 17 i.e. after notification u/s 4 of the Act and after expiration of 15 days from the publication of the notice mentioned in section 9 sub-section (1) of the Act but before passing of the Award in cases of urgency. However, in the present matters the possession was taken

before publication of notification u/s 4 of the Act and therefore, in present matters the additional component u/s 23(1A) of the Act can only be granted from date of notification u/s 4 of the Act to the date of award.

30. As far as solatium as per section 23(2) of the Act is concerned, opponents are liable to pay the same at the rate of 30% on the value of acquired lands as determined.

31. In view of ruling cited *supra* it is open for claimants to claim rent and damages for the use and occupation of their lands for the period for which State Government has retained the possession of lands de hors the provisions of Land Acquisition Act.

32. In view of all the above discussion as to issue no.2, I record my finding accordingly to the issue no.2 and as my answer to the issue no.3, I pass the following order -

Order

1. Land Reference bearing L.A.R. No.321/2021 and L.A.R. No.320/2021 are partly allowed with costs.
2. Claimant in L.A.R. No.320/2021 is entitled to get compensation @ Rs.1,25,000/- (One Lakh Twenty- Five thousand Only) per acre in respect of his acquired lands i.e Gat no.295 area ad-measuring 01 H. 34 R situated at village Padoli, Taluka – Bhoom, District – Osmanabad.
3. Claimant in L.A.R. No.321/2021 is also entitled to get compensation @ Rs.1,25,000/- (One Lakh Twenty- Five thousand Only) per acre in respect of his acquired lands i.e

Gat No.294 area ad-measuring 01H:19R. situated at village Padoli, Taluka – Bhoom, District – Osmanabad.

4. The opponents shall pay to the claimants solatium @ 30% as per section 23(2) of the Act on the value of acquired lands as determined above.
5. The opponents shall pay to the claimants the additional component @ 12% per annum on the value of acquired lands as determined above from the date of notification u/s 4 of the Act i.e. 14.09.2006 till the date of Award passed by Land Acquisition Officer i.e. 17.11.2008 as per section 23(1A) of the Land Acquisition Act.
6. The opponents shall pay to the claimants interest u/s 34 of the Act @ 9% per annum on the amount of compensation determined by Special Land Acquisition Officer, Medium Project No.2, Osmanabad for the period commencing from date of passing of award i.e. 17.11.2008 till the date of payment of original compensation awarded by said Special Land Acquisition Officer to the claimants in both references.
7. The opponents shall pay to the claimant interest u/s 28 of the Act @ 9% per annum on the enhanced compensation amount for one year commencing from date of passing of award i.e. 17.11.2008 to 17-11-2009 and thereafter @ 15% per annum on the enhanced amount till it's realization.
8. The amount of compensation which has already been paid to the claimants if any, shall be deducted from the amount of compensation determined as per above mentioned market

rate of acquired lands.

9. The opponents shall pay above mentioned amount jointly and severally to the claimants.
10. The claimants shall pay deficit court fees if any, forthwith.
11. Original judgment be kept in file L.A.R. No. 321/2021 and certified copy of the judgment be kept in file L.A.R. No. 320/2021.
12. Award shall be drawn up accordingly.
(Dictated and pronounced in open Court)

Date- 25-06-2026

Place – Bhoom

(R.D. Dange)
Jt. Civil Judge Senior Division
Bhoom.

CERTIFICATE

I affirm that, the contents of this P.D.F. file judgment are same, word to word, as per the original Judgment.

Name of Stenographer	---	Mr. Sayyad R.M., Stenographer G-II
Court	---	Mr. R.D. Dange Jt. Civil Judge, Senior Division, Bhoom, District - Osmanabad.
Date	---	25/06/2026
Order signed by the Presiding Of- ficer on	---	25/06/2026
Order uploaded on	---	25/06/2026