

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 842 of
2026**

In R/FIRST APPEAL/1201/2026

With

R/FIRST APPEAL NO. 1201 of 2026

With

R/CIVIL APPLICATION NO. 844 of 2026

In

R/FIRST APPEAL NO. 1202 of 2026

With

R/FIRST APPEAL NO. 1202 of 2026

With

R/CIVIL APPLICATION NO. 845 of 2026

In

R/FIRST APPEAL NO. 1203 of 2026

With

R/FIRST APPEAL NO. 1203 of 2026

With

R/CIVIL APPLICATION NO. 847 of 2026

In

R/FIRST APPEAL NO. 1204 of 2026

With

R/FIRST APPEAL NO. 1204 of 2026

With

R/CIVIL APPLICATION NO. 849 of 2026

In

R/FIRST APPEAL NO. 1205 of 2026

With

R/FIRST APPEAL NO. 1205 of 2026

With

R/CIVIL APPLICATION NO. 851 of 2026

In

R/FIRST APPEAL NO. 1206 of 2026

With

R/FIRST APPEAL NO. 1206 of 2026

With

R/CIVIL APPLICATION NO. 852 of 2026

In

R/FIRST APPEAL NO. 1207 of 2026

With

R/FIRST APPEAL NO. 1207 of 2026

With
R/CIVIL APPLICATION NO. 854 of 2026
In
R/FIRST APPEAL NO. 1208 of 2026
With
R/FIRST APPEAL NO. 1208 of 2026
With
R/CIVIL APPLICATION NO. 855 of 2026
In
R/FIRST APPEAL NO. 1209 of 2026
With
R/FIRST APPEAL NO. 1209 of 2026

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 THE STATE OF GUJARAT & ORS.
 Versus
 NAYAK GULABBHAI SHANABHAI
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Appearance:

MS DHARITRI PANCHOLI, AGP for the Applicants in CA 842, 844, 845, 847, 849 all of 2026

MS HEMALI SONI, AGP for the Applicants in CA 851, 852, 854 and 855 ALL OF 2026

MR VIDIT SHARMA for the Respondents - Claimants

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CORAM: HONOURABLE MR. JUSTICE J. C. DOSHI

Date : 24/03/2026

ORDER IN DELAY CONDONATION

Considering the averments made in the applications, the same are allowed and delay caused in preferring main matters stands condoned. Rule made absolute to the aforesaid extent.

ORDER IN FIRST APPEALS

1. Present appeals are preferred under section 54 of the Land Acquisition Act, 1894 (for short "the Act") read with section 96 of the Code of Civil Procedure, 1908 (for short "the

Code”) by the State against the common judgment and award dated 5.5.2018 passed by the learned Principal Senior Civil Judge, Panchmahal @ Halol in Land Acquisition Reference Case No.651/2009 to 659/2009, whereby, additional amount of Rs.277/- per sq mtr for the acquired lands has been awarded with other consequential benefits to the original claimants.

2. The lands of the claimants situated at village Jepura, Tal: Halol, Dist: Panchmahal came to be acquired by the State for the purpose of construction of Chanpaner bypass road by issuing notifications under sections 4 and 6 of the Act on 4.10.2007 and 20.5.2008 respectively. The Special Land Acquisition Officer vide his award dated 7.8.2008 awarded Rs.6/- per sq mtr as compensation for the acquired lands. The claimants preferred reference under section 18 of the Act before the Court of learned Principal Senior Civil Judge, Panchmahal @ Halol, who by impugned common judgment and award, partly allowed the reference of the original claimants and granted additional amount of compensation of Rs. 277/- per sq.mtr over and above the compensation awarded by the Special Land Acquisition Officer. Feeling aggrieved by the award, the State has preferred the present appeals.

3. On perusal of the impugned award, more particularly, para 24 thereof, it appears that the learned Reference Court relied upon the judgment of Land Acquisition Reference Case No.513/2010, wherein, the learned Reference Court has fixed

the market value of the acquired land of village Mandvi, Tal: Halol at Rs.312/-per sq mtr + Rs.6/- per sq mtr as per the award passed by the Special Land Acquisition Officer.

4. During the course of hearing, learned advocate Mr.Vidit Sharma placed on record letter dated 4.6.2025 addressed to the learned advocate Mr. Virendrasinh Chauhan, practising advocate at Vadodara by the Deputy Executive Engineer, R & B Department, Halol, which is ordered to be taken on record, wherein it is intimated that the State has accepted the award passed in Land Reference Case Nos.513/2010 to 515/2010 for the land situated in village Mandvi, Tal: Halol. Meaning thereby, the award passed in Land Reference Case No.513/2010 has become final between the parties and therefore, no reason remains with the State to ventilate a grievance against the impugned common judgment and award passed in Land Acquisition Reference Case No.651/2009 to 659/2009 on the principle of estoppel.

5. Thus, the issue remains no more *res integra* and hence, no ground is made out to interfere with the impugned common judgment and award of the learned Reference Court. Under the circumstances, present first appeals deserve to be dismissed and are accordingly dismissed.

6. In view of dismissal of both the first appeals, civil applications, if any, do not survive and the same stand disposed of accordingly.

7. Registry to maintain copy of this order in each matter.
8. Registry is directed to return back the R & P, if any, to the concerned Court forthwith.
9. The learned Reference Court is directed to disburse the amount of compensation deposited by the State Government after deducting Court fee to the claimants after due verification and identification along with interest and after verifying their right to claim the compensation.

SHEKHAR P. BARVE

(J. C. DOSHI,J)