



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

901 FIRST APPEAL NO. 2810 OF 2009

Shivaji Shrirang Jadhav

VERSUS

The State Of Maharashtra And Anr

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 2812 OF 2009

Ankush Narsing Shinde

VERSUS

The State Of Maharashtra And Anr

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 1382 OF 2012

The Executive Engineer Latur Medium Project Dist Latur

VERSUS

Ankush Narsingh Shinde And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.

AGP for Respondents: Mr. B. V. Virdhe

Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B. Nandagavale

...

WITH

FIRST APPEAL NO. 1376 OF 2012

The Executive Engineer, Latur Medium Project

VERSUS

Dilip Shrirang Jadhav And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.

AGP for Respondents: Mr. B. V. Virdhe

Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B. Nandagavale

...

WITH

FIRST APPEAL NO. 1381 OF 2012

The Executive Engineer, Latur Medium Project

VERSUS

Vinayak Tulshiram Shinde And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

...

**WITH
FIRST APPEAL NO. 1380 OF 2012**

The Executive Engineer , Latur Medium Project
VERSUS
Dagdu Bhanudas Shiande And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

...

**WITH
FIRST APPEAL NO. 1384 OF 2012**

The Executive Engineer, Latur Medium Project
VERSUS
Madhav Bhanudas Shinde And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

...

**WITH
FIRST APPEAL NO. 1378 OF 2012**

The Executive Engineer , Latur Medium Project
VERSUS
Nagnath Yadav Maykar And Anr

...

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

...

**WITH
FIRST APPEAL NO. 1383 OF 2012**

The Executive Engineer, Latur Medium Project

VERSUS

Sambhaji Tulshiram Shinde And Anr

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

**WITH
FIRST APPEAL NO. 1377 OF 2012**

The Executive Engineer , Latur Medium Project

VERSUS

Shivaji Shrirang Jadhav And Anr

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

**WITH
FIRST APPEAL NO. 1379 OF 2012**

The Executive Engineer , Latur Medium Project

VERSUS

Vitthal Bhanudas Shinde And Anr

Advocate for Appellant : Mr. Gangwal Madhubala B.
AGP for Respondents: Mr. B. V. Virdhe
Advocate for Respondent No.1 : Mr. A. V. Sakolkar a/w Mr. H. B.
Nandagavale

**WITH
FIRST APPEAL NO. 2811 OF 2009**

Vinayak Tulshiram Shinde

VERSUS

The State Of Maharashtra And Anr

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,
AGP for Respondents-State: Mr. B. V. Virdhe
Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

**WITH
FIRST APPEAL NO. 2813 OF 2009**

Nagnath Yadav Maykar

VERSUS

The State Of Maharashtra Nd Anr

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 2814 OF 2009

Dilip Shirang Jadhav

VERSUS

The State Of Maharashtra And Anr

...

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 2815 OF 2009

Vitthal Bhanudas Shinde

VERSUS

The State Of Maharashtra And Anr

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 2816 OF 2009

Sambhaji Tulshiram Shinde

VERSUS

The State Of Maharashtra And Anr

...

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,

AGP for Respondents-State: Mr. B. V. Virdhe

Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

...

WITH

FIRST APPEAL NO. 2817 OF 2009

Madhav Bhanudas Shinde
VERSUS
The State Of Maharashtra And Anr

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,
AGP for Respondents-State: Mr. B. V. Virdhe
Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

WITH
FIRST APPEAL NO. 2818 OF 2009

Dagdu Bhanudas Shinde
VERSUS
The State Of Maharashtra And Anr

Advocate for Appellant : Mr. A. V. Sakolkar a/w Mr. H.B. Nandagavale,
AGP for Respondents-State: Mr. B. V. Virdhe
Advocate for Respondent/ Acquiring Body : Mr. M. B. Gangwal

CORAM : ARUN R. PEDNEKER, J.

Dated : April 23, 2026

PER COURT :

1. Heard.

2. The learned Counsel for the petitioners/ claimants submits that this Court, by order dated 05/02/2026 in First Appeal No. 2765 of 2009 and another connected matter arising out of the same acquisition, for the same purpose, and under the same Section 4 Notification, has granted compensation at the rate of Rs. 9,605/- per Are. He submits that the notifications are of the same period, the project is identical, and the lands are similarly situated.

3. It is further submitted that the only distinguishing feature between First Appeal Nos. 2765 of 2009 and 2766 of 2009 and the present matters (arising from LAR Nos. 831 of 2006 and 832 of 2006) is that the lands in the present case are of better quality and fertility, as observed by the Reference Court. He submits that the lands were not classified as *Bagayat* only on account of absence of wells and irrigation facilities. However, considering their quality and fertility, the lands deserve to be treated at least on par with semi-irrigated lands, as they cannot be termed as barren lands.

4. Per contra, the learned AGP submits that the lands are classified as *Jirayat* lands and, therefore, compensation ought to be restricted as granted in First Appeal No. 2765 of 2009 and First Appeal No. 2766 of 2009.

5. Having considered the findings recorded by the Reference Court, particularly in paragraph No. 9, it is observed that the acquired lands are of good quality and fertility. The same lands are shown to have been under cultivation at least in the rainy season, as deposed by the witnesses of the claimants. In view of the same, it would be appropriate to treat the lands on a higher footing as semi-irrigated.

6. Considering that in First Appeal No. 2765 of 2009, compensation for *Jirayat* land has been granted at Rs. 9,605/- per Are, this Court deems it

appropriate to enhance the same by 40%, thereby fixing the compensation at Rs. 13,447/- per Are. In First Appeal No.2812 of 2009, the land is already classified as *Bagayat* and higher enhancement is justified, thus the compensation is fixed at Rs. 17,289/- per Are (i.e., 80% increase). The claimants shall be entitled to all statutory benefits, which shall be worked out accordingly.

7. The claimants are permitted to withdraw the amounts deposited in the Reference Court. The balance amount shall be deposited by the State within a period of eight weeks from today.

8. The appeals filed by the claimants are disposed of in above terms. The appeals filed by the Acquiring Body stand dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.