



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

**47 FIRST APPEAL NO. 1826 OF 2025**

Ramrao Trimbak Barkule  
Since deceased through his L.Rs.  
Prayag Ramrao Barkule and another .. Appellants  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**

**48 FIRST APPEAL NO. 1859 OF 2025**

Ankush Rambhau Barkule .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**

**49 FIRST APPEAL NO. 1860 OF 2025**

Sk. Abdul Sk. Raju .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**

**50 FIRST APPEAL NO. 1862 OF 2025**

Janardhan Appasaheb Barkule .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**

**51 FIRST APPEAL NO. 1907 OF 2025**

Ganesh Prabhakar Barkule



Since deceased through his L.Rs.  
Jayshri Ganesh Barkule and another .. Appellants  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**  
**52 FIRST APPEAL NO. 1908 OF 2025**

Babu Dadabhau Barkule .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**  
**53 FIRST APPEAL NO. 1909 OF 2025**

Narayan Shrirang Tathe .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**  
**54 FIRST APPEAL NO. 1911 OF 2025**

Laxmibai Janardhan Barkule .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector, Jalna and others .. Respondents

**AND**  
**55 FIRST APPEAL STAMP NO. 679 OF 2024**

Muktiram Raybhan Barkule .. Appellant  
**Versus**  
The State of Maharashtra, through the  
Collector Jalna and others .. Respondents

**AND**  
**56 FIRST APPEAL STAMP NO. 763 OF 2024**



|                                       |                |
|---------------------------------------|----------------|
| Limbaji Keruji Salve                  | .. Appellant   |
| <b>Versus</b>                         |                |
| The State of Maharashtra, through the |                |
| Collector Jalna and others            | .. Respondents |

Shri Shubham M. Kakde, Advocate for the Appellants in all matters.

Shri S. V. Hange, Shri G. O. Wattamwar and Shri S. B. Narwade, A.G.P. for the Respondent Nos.1 and 3 in respective matters.

Mrs. Manjushri V. Narwade, Advocate h/f Shri Vinayak P. Narwade, Advocate for the respondent No. 2 in all matters.

**CORAM : SHAILESH P. BRAHME, J.**  
**DATE : 07TH MAY, 2026.**

**FINAL ORDER :**

. Taken up for final disposal with the consent of the parties.

2. The appellants are challenging distinct judgments and awards passed by Reference Court in various reference petitions. Appellants lands from village Khandviwadi, Tq. Partur, Dist. Jalna stood acquired for percolation tank No. 3 vide notification U/Sec. 4 of the Land Acquisition Act dated 22.06.2011.

3. Learned counsel for the appellants would submit that appellants are entitled to enhancement relying upon consistent view being taken by this Court in various matters namely First Appeal No. 3413 of 2025 decided on 02.02.2026. He is seeking enhancement of rate to the tune of Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for semi irrigated land.



4. Learned counsel for the respondent No. 2 – acquiring body would contest the submissions. It is contended that no case is made out for any further enhancement and appeals are liable to be dismissed.

5. Following are the relevant details.

| F.A. No.     | LAR No.  | 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 |                   |              |               |
|--------------|----------|---------|---------------------|--------------------|--------------------|------------------------|-----------------------------------------|------------------------------------------|-------------------|--------------|---------------|
|              |          |         |                     |                    |                    |                        |                                         | Jir aya t                                | Se mi irri gat ed | Irr ig at ed | Po t kh ar ab |
| 1826/2025    | 636/2012 | 256     | 00H 46R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 00 H 46 R                                |                   |              |               |
| 1859/2025    | 593/2012 | 214     | 00H 12R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 4909/- per R                        | 00 H 12 R                                |                   |              |               |
| 1860/2025    | 562/2012 | 219     | 00H 34R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 00 H 34 R                                |                   |              |               |
| 1862/2025    | 561/2012 | 216     | 00H 61R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 00 H 61 R                                |                   |              |               |
| 1907/2025    | 590/2012 | 198     | 00H 13R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 4909/- per R                        | 0H 13 R                                  |                   |              |               |
| 1908/2025    | 645/2012 | 210     | 00H 61R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 0H 61 R                                  |                   |              |               |
| 1909/2025    | 559/2012 | 211 212 | 00H 67R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 0H 67 R                                  |                   |              |               |
| 1911/2025    | 560/2012 | 215     | 00H 24R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 3273/- per R                        | 0H 24 R                                  |                   |              |               |
| St. 679/2024 | 622/2012 | 209 220 | 01H 89R             | 22.06.2011         | 05.12.2011         | Rs. 2250/- per R       | Rs. 4909/- per R                        | 1H 89                                    |                   |              |               |



|                 |          |     |            |            |            |                     |                     |  |               |  |  |
|-----------------|----------|-----|------------|------------|------------|---------------------|---------------------|--|---------------|--|--|
|                 |          |     |            |            |            |                     |                     |  | R             |  |  |
| St.<br>763/2024 | 582/2012 | 199 | 01H<br>42R | 22.06.2011 | 05.12.2011 | Rs. 2250/-<br>per R | Rs. 4909/-<br>per R |  | 1H<br>42<br>R |  |  |

6. The Special Land Acquisition Officer offered rate of Rs. 2,250/- per R for dry as well as semi irrigated lands. It was enhanced to Rs. 3,273/- per R for dry lands and Rs. 4,909/- per R for semi irrigated lands by the Reference Court. Appellants have placed on record order dated 16.04.2026 in First Appeal No. 1906 of 2025 and order dated 02.02.2026 passed in First Appeal No. 3413 of 2025. In First appeal No. 3413 of 2025, land from village Daithna, Tq. Partur was acquired vide notification dated 01.09.2000. The Reference Court had awarded rate of Rs. 1,100/- per R as it was dry land. Relying upon the rate fixed at Rs. 2,400/- per R for dry land, Rs. 3,600/- per R for semi irrigated land and Rs. 4,800/- per R for irrigated land by Reference Court in L. A. R. No. 269 of 2014 enhancement is granted by adding escalation with cumulative effect.

7. I find that village Khandviwadi and Daithna share boundaries. The rate adopted in First Appeal No. 3413 of 2025 can be applied in the present cases also on the ground of parity. The appellants are entitled to have rate of Rs. 2,400/- per R for dry land and Rs. 3,600/- per R for semi irrigated land. They are also entitled to have benefit of escalation by cumulative effect considering the time gap from 26.12.1996, which was date of issuance of notification U/Sec. 4 of the L. A. Act in L. A. R. No. 269 of 2014 and 22.06.2011, the date of notification in the



present appeals in view of the judgments of the Supreme Court in the matters of Huchangouda Vs. Assistant Commissioner and Land Acquisition Officer reported in *(2020)19 SCC 236* and Ali Mohammad Beigh and others Vs. State of Jammu and Kashmir reported in *(2017) 4 SCC 717*. escalation at 10% per annum by cumulative effect is extended to the appellant. The rate works out to be Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for semi irrigated land.

9. For the reasons stated above, I, therefore, pass following order.

### **O R D E R**

- a. The appellants shall be entitled to receive rate of Rs. 9,114/- per R for dry land and Rs. 13,671/- per R for seasonally irrigated land, considering the nature of their lands as classified by the Reference Court.
- b. The appellants shall not be entitled to the interest and statutory benefits for the delayed period.
- c. The appellants shall be entitled to receive 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 reported in *[2016 AIR (Bom.)141]*.
- d. Save and except above modification, the impugned judgment and award shall stand unaltered.



2026:BHC-AUG:21350

- e. The appellant shall pay deficit court fees, if any.
- f. Award be drawn accordingly.

**[ SHAILESH P. BRAHME J. ]**

*bsb/May 26*