



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

61 FIRST APPEAL NO. 1240 OF 2026

THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION OSMANABAD

VERSUS

DATTU DAGDU PAWAR

WITH FIRST APPEAL NO. 1241 OF 2026

WITH FIRST APPEAL NO. 1242 OF 2026

WITH FIRST APPEAL NO. 1243 OF 2026

WITH CIVIL APPLICATION NO. 13674 OF 2025 IN FA/1241/2026

WITH CIVIL APPLICATION NO. 13667 OF 2025 IN FA/1240/2026

WITH CIVIL APPLICATION NO. 13670 OF 2025 IN FA/1243/2026

WITH CIVIL APPLICATION NO. 13672 OF 2025 IN FA/1242/2026

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Advocate for Appellants/Applicants in all : Ms. Sunita Dashrathrao Shelke.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 05.05.2026

FINAL ORDER :-

1. Taken up for final disposal with the consent of the parties.
2. The acquiring body is challenging judgments and awards passed by the Reference Court in distinct reference applications. The predominant ground of challenge is the award of interest by the Reference Court. The reliance is placed on the consistent view being taken by this Court. One such a common order passed on 23.02.2026 is placed on record.
3. I have gone through the operative part in question awarding interest under Section 28 of the Land Acquisition Act from the date of possession. In view of judgment laid down by Full Bench in the matter of *State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]*, interest is



payable from the date of award. I, therefore, pass following order :

ORDER

- (i) First appeals are allowed partly.
- (ii) The respondents/claimants are entitled to receive interest under Section 28 and 34 of the Land Acquisition Act from the date of award under Section 11 of the Act and not from the date of notification.
- (iii) The payment of interest in all appeals shall be as per law laid down in the matter of ***State of Maharashtra Vs. Kailash Shiva Rangari [2016 AIR (Bom.) 141]***.
- (iv) Impugned judgment and award passed by the Reference Court shall stand modified to the extent stated above and rest of the award shall remain unaltered.
- (v) The amounts deposited by the appellants in this Court or the Reference Court shall be disbursed to the respondents/claimants with accrued interest as per the modifications referred above.
- (vi) In view of disposal of the first appeals, Civil applications for stay are disposed of accordingly.

(SHAILESH P. BRAHME, J.)

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