

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4133/2026

[Arising out of impugned final judgment and order dated 07-11-2025 in FA No. 2763/2023 passed by the High Court of Judicature at Bombay, Bench at Aurangabad]

KONDABAI MANOHAR TODKAR & ORS.

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

(IA No. 29835/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 29836/2026 - EXEMPTION FROM FILING O.T.)

WITH SLP(C) No. 4982/2026

(IA No. 35414/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 35416/2026 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 4943/2026

(IA No. 35018/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 35019/2026 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 4926/2026

(IA No. 34964/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 34967/2026 - EXEMPTION FROM FILING O.T.)

SLP(C) No. 4991/2026

(IA No. 35493/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 35494/2026 - EXEMPTION FROM FILING O.T.)

Date : 28-04-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. Sudhanshu Choudhary, Sr. Adv.

Mr. Shashibhushan P. Adgaonkar, AOR

Mr. Sharian Mukherji, Adv.

Mr. Anoop Raj, Adv.

Mr. Chirag Zanwar, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. Applications for exemption from filing certified copy of the impugned judgment and exemption from filing official translation are allowed.
2. Heard Mr. Sudhanshu Choudhary, learned senior appearing for the petitioners.
3. Learned senior counsel submits that the petitioners are seeking enhancement of compensation from Rs.1,65,000/- (Rupees one lakh sixty five thousand) per are as awarded by the High Court to Rs.3,71,000/- (Rupees three lakh seventy one thousand) per are subject to permissible deductions. Learned senior counsel first draws attention to page 42 (pdf 55) of the paperbook which is the order of the Reference Court in the current proceedings. Learned senior counsel submits that under Entry 42 at page 42, the claimants relied upon LAR (G) Nos.663/2009 to 665/2009 where the rate was Rs.220/- (Rupees two hundred twenty) per sq.ft. which would approximately equivalent to Rs.2,20,000/- (Rupees two lakh twenty thousand) per are. Drawing attention to page 11 of the impugned order, learned senior counsel contends that this amount formed the basis for the Award in the High Court (pdf 23 page 11 paragraph 11).

4. Learned senior counsel submits that the referral order which was taken as the basis was carried to the High Court in First Appeal No.1668 of 2014 and batch and the High Court at page 26 of the additional documents (pdf 37) enhanced the compensation to Rs.3,71,000/- (Rupees three lakh seventy one thousand) per are subject to deduction of development charges at 33-1/3% resulting in a net figure of Rs.2,47,000/- (Rupees two lakh forty seven thousand) per are.

5. Learned senior counsel submits that since the order of the Reference Court which formed the very basis has now resulted in enhancement, the petitioners should also get the benefit of enhancement. Learned senior counsel further submits that this point was specifically argued before the High Court.

6. Issue notice, returnable on 20th July, 2026.

(ANITA MALHOTRA)
AR-CUM-PS

(MANOJ KUMAR)
COURT MASTER