



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

**945 FIRST APPEAL NO. 689 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
  2. The Executive Engineer,  
(MIW), Jalgaon
- ..Appellants  
(Orig. Respondents)

**VERSUS**

Vasant Gopal Bhoite  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 687 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
  2. The Executive Engineer,  
(MIW), Jalgaon
- ..Appellants  
(Orig. Respondents)

**VERSUS**

Ganpat Ramkrishna  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 688 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
  2. The Executive Engineer,  
(MIW), Jalgaon
- ..Appellants  
(Orig. Respondents)

**VERSUS**

Sakharam Jivan Bhoi,  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 683 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
2. The Executive Engineer,  
(MIW), Jalgaon

..Appellants  
(Orig. Respondents)

**VERSUS**

Purshottam Kadu Chaudhari  
Age: major, Occu: Agri.  
R/o Kalamsara, for himself  
and S.P.A. of Bhagwan Kadu  
Chaudhari, Occu: Agri.,  
R/o. Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 684 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
2. The Executive Engineer,  
(MIW), Jalgaon

..Appellants  
(Orig. Respondents)

**VERSUS**

Shriram Kadu Chaudhari  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 698 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
  2. The Executive Engineer,  
(MIW), Jalgaon
- ..Appellants  
(Orig. Respondents)

**VERSUS**

Smt. Dropadabai Kadu Chaudhari,  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 690 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
  2. The Executive Engineer,  
(MIW), Jalgaon
- ..Appellants  
(Orig. Respondents)

**VERSUS**

Ramkrishna Mahipat,  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 694 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon

2. The Executive Engineer,  
(MIW), Jalgaon

..Appellants  
(Orig. Respondents)

**VERSUS**

Shantabai Kisan,  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 695 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
2. The Executive Engineer,  
(MIW), Jalgaon

..Appellants  
(Orig. Respondents)

**VERSUS**

Bhausahab Panditrao Bhoite,  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

**WITH  
FIRST APPEAL NO. 699 OF 2003**

1. Special Land Acquisition Officer,  
(MIW), Jalgaon
2. The Executive Engineer,  
(MIW), Jalgaon

..Appellants  
(Orig. Respondents)

**VERSUS**

Nathu Panditrao Bhoite  
Age: major, Occu: Agri.  
R/o Kalamsara,  
Ta;. Pachora, Dist. Jalgaon

...Respondent  
(Orig. Petitioner)

...

Mr. D. J. Patil, AGP for Appellants/State in all appeals  
Mr. S. V. Dixit h/for Mr. V. J. Dixit, Advocate for Respondents in all appeals

....

**CORAM : SANJAY A. DESHMUKH, J.**

**DATE : 17.01.2026**

**ORAL JUDGMENT :-**

1. These Appeals have been preferred by the State Government against the impugned judgments and awards passed in the Land Acquisition References, as given in the chart below.

Sr. No	First Appeal Nos.	L.A.R. Nos.	Name of parties	Land acquired	S.L.A.O. Rate per Hectare	Reference Court rate per Hectare
1	FA/687/2003	17/2002	State of Mah. Vs. Ganpat	60 R	47,000/-	3,70,000/-
2	FA/688/2003	12/2002	State of Mah Vs. Sakharam Bhoi	2 H 15 R	59,000/-	3,70,000/-
3	FA/689/2003	10/2002	State of Mah. Vasant Bohite	1 H 62 R	50,000/-	3,70,000/-
4	FA/699/2003	16/2002	State Of Mah. Vs. Nathi Bhoite	50 R	60,000/-	3,70,000/-
5	FA/690/2003	8/2002	State of Mah. Vs. Ramkisan Mahipat	10 R	53,000/-	3,70,000/-
6	FA/694/2003	5/2002	State of Mah. Vs. Shantabai	3 H 19 R	50,000/-	3,70,000/-

7	FA/695/2003	14/2002	State of Mah. Vs. Bhausahab Bhoite	1 H 05 R	50,000/-	3,70,000/-
8	FA/683/2003	04/2002	State of Mah VS. Purshottam Chaudhari	14 R	53,000/-	3,70,000/-
9	FA/684/2003	18/2002	State of Mah. Vs. Sriram Chaudhari	11 R	53,000/-	3,70,000/-
10	FA/698/2003	13/2002	State of Mah. Vs. Dropatibai Chaudhari	10 R	53,000/-	3,70,000/-

2. The learned AGP for the appellants-State pointed out the pleadings, the evidence, the grounds of objections in the appeals, and the reasons and findings of the learned Reference Court. He submitted that the agricultural lands of the claimants were acquired by the State Government for the Project of Minor Irrigation Tank at Kalamsara. He further submitted that the Special Land Acquisition Officer awarded compensation as shown in the above chart. However, the learned Reference Court enhanced the amount of compensation and awarded compensation @ Rs.3,70,000/- per hectare. He submitted that the learned Reference Court awarded an excessive amount of compensation without properly considering the evidence on record.

3. He further submitted that the report submitted by the Horticulture Department was wrongly appreciated and that the nature of the land, including potkharab land, was not considered by the learned Reference Court. Even though the 7/12 extracts were not produced on record, a huge amount of compensation was awarded. He prayed to allow the appeals by setting aside the impugned judgments and awards.

4. The learned advocate for the respondents-claimants strongly objected the appeals and submitted that the claimants had proved their case for enhancement of compensation. He further submitted that the learned Reference Court considered the entire evidence on record and awarded a reasonable amount of compensation as per the market value of the acquired land as well as mango trees, jujube trees, and tamarind trees etc. He therefore submitted that unless any perversity is shown, the impugned judgments and awards cannot be set aside. He prayed to dismiss the appeals.

5. Perused the Record and Proceedings, particularly the evidence, the grounds of objections in the appeals, and the reasons

and findings of the learned Reference Court. The learned Reference Court considered the sale exemplar and held that it was genuine, as it was executed prior to the acquisition of land. The sale exemplar pertained to land admeasuring 81 Are and was sold for a consideration of Rs.1,50,000/-. The lands of the claimants were irrigated lands. The learned Reference Court considered the quality of the land and accordingly awarded a reasonable amount of compensation @ Rs.3,70,000/- per hectare.

6. As far as the trees are concerned, in paragraph No.15 of the impugned judgment, the learned Reference Court considered the report of the experts from the Horticulture Department, who visited the field and found four jujube trees in block No.47, two mango trees in block No.46/2, five mango trees in Block No.37, nine jujube trees in Block No.47, two tamarind tree, one mango tree and two jujube trees in Block No.52. The learned Reference Court considered the fruit bearing capacity of the said trees along with their seasonable income, accepted the expert report and awarded reasonable amount of compensation i.e., Rs.25,000/- for per mango trees, Rs.8,000/- for per jujube trees, Rs. 20,000/- for per tamarind trees. The compensation awarded by the learned Reference Court is found to be

reasonable as per the market rate. The evidence of the witnesses has been properly appreciated and there is no perversity or illegality in the impugned judgments and awards. Therefore, the award deserves to be confirmed and no interference is warranted in it. Hence, the following order:

**::ORDER::**

- i. The first appeals are dismissed.
- ii. Pending civil applications, if any, stand disposed of.
- iii. No order as to costs.

[ SANJAY A. DESHMUKH, J. ]

*HRJadhav*