

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3068 OF 2016**Tatya S/o Dattu Magar Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.R.V.Naiknavare, advocate for the Petitioner.
 Mr.V.M.Kagane, A.G.P for the State.
 Mr.A.S.More, advocate for Respondent Nos.4A and 5.

**CORAM : S.V.GANGAPURWALA AND
 A.I.S.CHEEMA, JJ.**

Date : 15.03.2016.

PER COURT :

1. Heard.
2. Learned counsel for the petitioner states that the award has been passed in respect of the land S.No.239(A-1), under the National Highways Act, 1956. The petitioners are owners of the said land, however, the Respondent-authority is trying to make payment to Respondent Nos.4 and 5 who have no concern with the acquired land. The petitioners have filed objection with the authority, however, no cognizance is being taken of the same.
3. Learned counsel for Respondent Nos.4 and 5 submits that Respondent Nos.4 and 5 do not have any objection for the authority

to take decision on the objection of the petitioner, however, the authority be directed to decide the objection expeditiously.

4. Learned A.G.P submits that the Respondent No.2 would take appropriate steps in that regard.

5. Considering the fact that the objection is filed by the petitioner, the Respondent-authority is required to take steps with regard to the objection as is laid down U/s 3-H of the National Highways Act. The authority shall take appropriate steps for getting the objection of the petitioner decided as required U/s 3-H(4) expeditiously. If the authority feels it appropriate to refer it to the principal Court of Civil jurisdiction, the same shall be done immediately. In case the matter is referred to the Civil Court as contemplated U/s 3-H(4), the Civil Court shall endeavour to dispose of the said proceedings expeditiously.

6. The Writ Petition is disposed of. No costs.

(A . I . S . CHEEMA , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.03.2016.
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