

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.7331 OF 2016
WITH
CIVIL APPLICATION NO.11177 OF 2016**

Sau.Ulka W/o Pradeep Jain Vs. The Union of India and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
--	---------------------------

Mr.D.P.Palodkar, advocate for the petitioner.
Ms.R.P.Gour, A.G.P. for the State.
Mr.U.R.Awate, advocate holding for Mr.S.B.Talekar, advocate for Respondent No.4.
Mr.V.S.Undre, advocate for Respondent No.6.
Mr.A.R.Devkate, advocate holding for Mr.S.D.Tawshikar, advocate for Respondent Nos.7 and 8.

**CORAM : S.V.GANGAPURWALA AND
K.L.WADANE, JJ.
Date : 17.11.2016.**

PER COURT :

1. We have heard learned counsel for respective parties and learned A.G.P.
2. The petitioner has made prayer regarding restraining the Respondent Nos.4 and 5 from releasing the amount of compensation in favour of Respondent Nos.6 to 9 or any other person with regard to the writ land and seeking directions to refer the dispute to the Civil Court.

3. This Court would not enter into the investigation of facts about the right of any party to claim compensation amount at this stage. It would be too premature to do so. The provisions of the National Highways Act, 1956 are self-sufficient to deal with the objections that would be raised by any person interested in the land. Section 3-C lays down about hearing of objections after publication of notification under sub-section (1) of Section 3-A of the National Highways Act, 1956. So also under Section 3-H(4) provision is made regarding the dispute about the amount, procedure is laid down. The petitioner may take up recourse to the provisions of the Act, 1956 by raising objection/dispute. Naturally if the objections or dispute is raised by the petitioner or any other person interested, the same will have to be dealt with the authority in accordance with the statute as laid down U/s 3-C and 3-H(4) of the Act, thereby safeguarding the right and interest of the parties interested.

4. With these observations, the Writ Petition is disposed of. No costs.

5. The Civil Application also stands disposed of.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.17.11.2016.

asp/office/wp7331.16

