

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

WRIT PETITION NO. 10873 OF 2016

Amrutabai Hanumanlal Gurkhude
and others

PETITIONERS

VERSUS

The Union of India and others

RESPONDENTS

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Mr.B.N. Magar, Advocate for petitioners

Mr.S.B. Deshpande, A.S.G.I., for respondent no.1

Mr.R.B. Bagul, Advocate for respondent nos.3 to 5
and 7 to 9

Mr.H.V. Tungar, Advocate for intervenor

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**CORAM : V.M. KANADE AND
SANGITRAO S. PATIL, JJ.**

DATE : JANUARY 18, 2017

PER COURT :

Heard the learned Counsel for the
petitioners and the learned Counsel for the
respective respondents.

2. By this petition under Article 226 of the
Constitution of India, the petitioners are seeking
following reliefs:-

A) The Writ Petition may kindly be allowed.

B) The payment of compensation to the respondent nos.3 to 15 in respect of lands in bearing gut nos.32, 33, 35, 36, 37 at Pendgaon, Tq. & Dist. Beed may kindly be stayed and it is to be directed to respondent no. 2 to refer the matter in the competent court for proper adjudication.

C) The Notice of competent authority i.e. respondent no. 2 S.D.O. Land Acquisition for hearing on the objection dated 31/08/2016 and hearing thereon be quashed and set aside.

D) Till the disposal of this writ petition it be further directed to the respondent nos. 1 and 2 that, payment of the compensation amount to the respondents in respect of lands bearing gut nos.32, 33, 35, 36, 37 at Pendgaon, Tq. & Dist. Beed and may kindly stayed.

E) Interim reliefs as prayed in Prayer Clause "C & D" may kindly be granted.

F) Any other suitable relief to which the petitioner's found entitled to may kindly be granted.

3. Section 3H(3) of the National Highways Act lays down the procedure when other persons claim interest in the amount of compensation, which is declared by the Special Land Acquisition Officer. The said procedure be followed for the purpose of adjudication of the claim of the present petitioners and other persons.

4. With these directions, the Writ Petition stands disposed of.

[SANGITRAO S. PATIL, J.]

[V.M. KANADE, J.]