

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO.6072 OF 2016**

Mr. Pramod Haribhau Bankhele.] ... Petitioner

Versus

The Union of India & Ors.] ... Respondents

Mr. Vaibhav Ugle for Petitioner.

Mr. P. P. Kakade, AGP for State.

**CORAM :- DR. MANJULA CHELLUR, C.J., &
G. S. KULKARNI, J.**

DATE :- FEBRUARY 02, 2017

P. C. :-

1. The petitioner is before us challenging the notification of acquisition dated 29 January 2016, made under Section 3 (1-A) of the National Highways Act, 1956 ('the Act'). Apparently, the said intention for acquisition is for the purpose of widening the existing two lane carriageway to 4/6 lane carriageway which is known as Khed-Sinnar stretch of Pune-Nashik i.e. Section of NH-50 in the State of Maharashtra. The objections alleged to have been already placed before the acquiring authority, have to fructify into hearing and then final declaration of application has to be given under Section 3D of the Act. Much before reaching that stage, the petitioner is before this Court. However, we make it clear that the respondent i.e.

the acquiring authority has to take into consideration the objections raised by the petitioner before passing the final declaration, strictly in accordance with Sections 3C and 3D of the Act.

2. The Writ Petition is disposed of in the above terms.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)