IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14980 OF 2017

Rajendra Uttamchand Katariya .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14981 OF 2017

Rajendra Walchand Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14982 OF 2017

Rajendra Uttamchand Katariya and another .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14983 OF 2017

Shilpa Rajendra Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14984OF 2017

Mohammad Fhajale Hussen and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14985 OF 2017

Rajendra Walchand Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14986 OF 2017

Rajendra Uttamchand Katariya .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14987 OF 2017

Shilpa Rajendra Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14988 OF 2017

Rajendra Walchand Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14989 OF 2017

Dipak Radhakisan Agrawal .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14990 OF 2017

Vasant Jagannath Marathe (Chavan) .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14991 OF 2017

Rajesh Chandramal Galani .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14992 OF 2017

Dipa Anil Shraf and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14993 OF 2017

Shilpa Rajendra Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14994 OF 2017

Mohammad Fhajale Hussen and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14995 OF 2017

Rajendra Uttamchand Katariya and another .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14996 OF 2017

Prakash Bhawarlal Mehata,
Through Special Power of Attorney Holder
S. R. Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14997 OF 2017

Nandkishor Bhadridas Bhattad .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14998 OF 2017

Shilpa Rajendra Shinde and another .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 14999 OF 2017

Rajendra Walchand Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 15000 OF 2017

Rajendra Walchand Shinde .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 15002 OF 2017

Sumati Dnyaneshwar Shraf (dead),
Through L.Rs. Anil Dnyaneshwar Shraf
and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 5506 OF 2017

Yuvraj Avchit Mali and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 5245 OF 2017

Bhagwan Maruti Ampalkar .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 5434 OF 2017

Bhagwan Maruti Ampalkar .. **Petitioner**

Versus

The National Highway Authority of India
and others .. **Respondents**

WITH

WRIT PETITION NO. 5512 OF 2017

Raghunath Laxman Deshmukh (Died),
Through Legal Heirs,
Suresh Raghunath Deshmukh and others .. **Petitioners**

Versus

The National Highway Authority of India
and others .. **Respondents**

Shri Vijay B. Patil, Advocate for Petitioners.
Shri A. S. Shinde, A.G.P. for the Respondent No. 1.
Shri M. V. Kini & Co. and Shri D. S. Manorkar, Advocate for Respondent Nos. 1 and 3.

CORAM : S. V. GANGAPURWALA & A. M. DHAVALE, JJ.

DATE : 17th January, 2018

PER COURT :

1. In all these matters the petitioners seek directions against the respondent to deposit the compensation amount as per the

award of the Arbitrator. Relying on Rule 2 under the National Highway (Manner Of Depositing The Amount By The Central Government With The Competent Authority For Acquisition Of Land) Rules, 1998.

2. Heard Mr. Patil, learned advocate for the petitioners and Mr. Manorkar, learned advocate for the respondents.

3. It is submitted that against the award passed by the Arbitrator, the respondent has approached the District Judge under Section 34 of the Arbitration and Conciliation Act, 1996.

4. Learned Advocate for the respondent states that in view of the filing of the application under Section 34 of the Arbitration and Conciliation Act, 1996 the respondent is not required to deposit the amount, as the filing of the application would operate as a stay to the execution.

5. The respondent is bound to comply the provisions of Section 3 H (6) of the National Highway Act, 1956.

6. In the matters wherein the respondent has not deposited

the amount as per the award of the Arbitrator before the Competent Authority, the respondent shall deposit the amount before the Competent Authority as per the award passed by the Arbitrator within eight (8) weeks from today. The respondent may approach the District Judge for further orders in accordance with law. The petitioners shall also be at liberty to put forth their case with regard to the right to withdraw the amount from the Competent Authority / District Judge.

7. The writ petitions are accordingly disposed of. No costs.

[A. M. DHAVALE, J.] **[S. V. GANGAPURWALA, J.]**

marathe/Jan.18