

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

**WRIT PETITION NO. 4032 OF 2018**

Shaikh Khaleel Shaikh Nazir  
and others .. Petitioners

**Versus**

The State of Maharashtra and another .. Respondents

Shri Javed Abdul H. Deshmukh, Advocate for the Petitioner.  
Shri S. M. Ganachari, A.G.P. for the Respondent No. 1.  
Shri S. V. Adwant, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND  
A. M. DHAVALA, JJ.**

**DATE : 30TH JANUARY, 2019.**

**FINAL ORDER :**

. According to the petitioner the land is acquired under the provisions of the National Highways Act. The petitioner claims right to seek compensation. No award has been placed on record.

2. If the acquisition is under the provisions of the National Highways Act and if award is passed, then the petitioner has remedy U/Sec. 3(H)(iv) of the National Highways Act.

3. In the light of the above, the petitioner may avail the alternate remedy as may be advised. In case the petitioner

approaches the authorities, the authorities shall consider the same on its own merits. The writ petition is disposed of. No costs.

**[A. M. DHAVAL, J.]**

**[S. V. GANGAPURWALA, J.]**

*bsb/Jan. 19*