

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

WRIT PETITION NO. 8888 OF 2018

Bhika Shridhar Wani
Through GPA Chandrakant Kashinath Kele ... Petitioner

Versus

Competent Authority National Highway Authority
and the Special Land Acquisition Officer No. 2
& Anr. ... Respondents

..
Shri. M. R. Malpani h/f Shri. Kale, Advocate for the petitioner
Respondents No. 1 and 2 served.

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

DATE : 18TH APRIL, 2019

ORAL ORDER:

1. Though respondents No. 1 and 2 are served, none appears on behalf of them.

2. Learned counsel for the petitioner submits that, the land of the petitioner was acquired under the Highways Act. The petitioner approached the Arbitrator for enhancement of compensation. The application of the petitioner is allowed. The respondents have filed

application u/s 34 of the Arbitration Act before the District Court, Dhule. The stay application is also filed, the same is pending since the year 2012. Neither the stay application is decided nor the respondent has deposited the amount.

3. As the said application is pending since the year 2012 with the District Court, Dhule, it would be appropriate for the District Court to decide the stay application on its own merits, expeditiously. The District Court where the application for stay is filed by the respondents u/s 34 of the Arbitration Act, shall decide the said application on its own merits in accordance with law, expeditiously, preferably within four months.

4. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde