

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10224-2018

Sainath s/o Baburao Karadkhele

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. M.S. Shah, Advocate for Petitioner

Mr. A.R. Kale, Assistant Government Pleader for
Respondent/State

Mr. R.B. Bhosale, Advocate for Respondent Nos. 2 and 7

Mr. S.V. Natu, Advocate for Respondent No. 5

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

DATE : 3rd APRIL, 2019

ORAL ORDER:

1. The learned Counsel for the petitioner submits that he has filed objection under section 3-H (4) of the National High Ways Act. The same be referred to the Civil Court.

2. We have also heard the learned Counsel for the respondents.

3. In respect of the said acquisition, the present respondent No. 5 has also filed objection under Section 3-H (4) of the National

Highways Act. In Writ Petition No. 6487/2018 under Order dated 28.01.2019, we had directed the authority to pass an order on the objection raised by the petitioner according to section 3-H (4) of the National Highways Act. Pursuant to the said order, the Competent Authority referred the dispute to the Principal Court of Original Civil Jurisdiction at Latur.

4. Mr. Natu, the learned Counsel submits that the petitioner is not concerned with the land acquired.

5. The Competent Authority shall also pass the orders on the objection raised by the petitioner in accordance with Section 3-H(4) of the National High Ways Act after hearing all the parties concerned along with the objection filed by the respondent No.5 pending before him as directed to be decided vide order dated 28.01.2019 in Writ Petition No. 6487/2018. Till the objection is decided by the Competent Authority, the amount shall not be disbursed. Till the objection is decided, the amount may be kept in fixed deposit.

6. The Writ Petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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