

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

46 WRIT PETITION NO.11105 OF 2019

NAGNATH KISAN LANDGE

..PETITIONER

VERSUS

COMPETENT AUTHORITY DEPUTY COLLECTOR LAND
ACQUISITIONMANJARA PROJECT AND OTHERS..RESPONDENTS

...

Mr. Ganesh Gadhe h/f Mr. Prashant M. Nagargoje,
Advocate for the Petitioner.

Mr. S. P. Tiwari, AGP for Respondents-State.

Mr. S. S. Deve, Advocate for Respondent No.1.

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**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATED : 09th SEPTEMBER, 2019.

PER COURT:-

1. The petitioner is challenging the notice issued to him by the Competent Authority dated 03.08.2019. According to the learned counsel, initially the same persons had earlier filed objection under section 3H(4) of the National Highways Act. The same is referred to the Principal Court of Original Civil Jurisdiction. His name was to the extend of the 1/6 share. The petitioner has been given his 1/5 share. The petitioner has withdrawn the amount to the extent of 1/5 share. The petitioner has filed for enhancement before the Arbitrator. The same is allowed and now again in respect of the enhanced

amount, the same person has filed fresh objection under section 3H(4). The same is not maintainable.

2. The petitioner has opportunity to raise all these defences before the Competent Authority. Mr. Deve, learned counsel for the Competent Authority submits that if the objection is raised by the petitioner, the Competent Authority would decide the same on its own merits.

3. In view of the statement made by the learned counsel for the Competent Authority, the petitioner may file an objection to the application filed by the Mr. Vishawabar Girjaaapa Landge, which objection of the petitioner would be decided by the competent authority on its own merits within a period of three months.

4. Writ Petition is disposed of. No costs.

(ANIL S. KILOR)
JUDGE

(S. V. GANGAPURWALA)
JUDGE