

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12014 OF 2019

DILIP BHAGWAN MISTERY AND OTHERS
VERSUS
THE NATIONAL HIGHWAY AUTHORITY OF INDIA,
THE PROJECT DIRECTOR AND OTHERS

...

Advocate for Petitioners : Mr. Sonar Anudeep D.
Advocate for Respondent No. 2 : Mr. S. S. Deve

...

48 WRIT PETITION NO.12032 OF 2019

NANDAKUMAR DEVCHAND ZALTE AND OTHERS
VERSUS
THE NATIONAL HIGHWAY AUTHORITY OF INDIA,
THE PROJECT DIRECTOR AND OTHERS

...

Advocate for Petitioners : Mr. Sonar Anudeep D.
Advocate for Respondent No. 2 : Mr. S. S. Deve

...

59 WRIT PETITION NO.12044 OF 2019

DILIP BHAGWAN MISTERY AND OTHERS
VERSUS
THE NATIONAL HIGHWAY AUTHORITY OF INDIA,
THE PROJECT DIRECTOR AND OTHERS

...

Advocate for Petitioners : Mr. Sonar Anudeep D.
Advocate for Respondent No. 2 : Mr. A. B. Dhongade

...

64 WRIT PETITION NO.12049 OF 2019

NANDAKUMAR DEVCHAND ZALTE AND OTHERS
VERSUS
THE NATIONAL HIGHWAY AUTHORITY OF INDIA,
THE PROJECT DIRECTOR AND OTHERS

...

Advocate for Petitioners : Mr. Sonar Anudeep D.
Advocate for Respondent No. 2 : Mr. A. B. Dhongade

...

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

DATE: 01st OCTOBER, 2019

PER COURT:

1. In all these matters the petitioners seek directions against the respondents 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. Sonar, learned counsel for the petitioners and Mr. Deve, Mr. Dhongade, learned counsel for the respective respondents.

3. It is submitted that against the award passed by the Arbitrator, the respondents have approached

the District Judge under Section 34 of the Arbitration and Conciliation Act, 1996.

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

5. The respondents are bound to comply the provisions of Section 3 H (6) of the National Highways Act, 1956.

6. In the matters wherein the respondents have not deposited the amount as per the award of the Arbitrator before the Competent Authority, the respondents shall deposit the amount before the Competent Authority as per the award passed by the Arbitrator within eight (8) weeks from today. The respondents 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.

[ANIL S. KILOR, J.] [S. V. GANGAPURWALA, J.]

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