

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

WRIT PETITION NO. 13839 OF 2018

Komalbai Dasrao Jadhav Patil
and others .. Petitioners

Versus

The Competent Authority under
National Highway Act and others .. Respondents

Shri Sachin S. Deshmukh, Advocate for the Petitioner.
Ms. Sudha S. Kulthe, Advocate for the Respondent No. 1.
The Respondent Nos. 2 and 3 are served – absent.

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

DATE : 04TH MARCH, 2019.

FINAL ORDER :

. According to the learned counsel for petitioners, one objection is raised. The authority has to refer the same to the Civil Court.

2. The petitioners has filed objection U/Sec. 3(H)(4) of the National Highways Act. It is submitted that, said objection is not yet decided.

3. When the matter is called out none appears for respondent

Nos. 2 and 3.

4. In case objection is filed by petitioner s U/Sec. 3(H)(4) of the National Highways Act and same is pending with the authority, then the authority shall decide the same on its own merits, in accordance with law and take appropriate steps as contemplated U/Sec. 3(H)(4) of the National Highways Act, expeditiously and preferably within a period of two (02) months from today. The writ petition is disposed of. No costs.

5. Interim order passed in this writ petition shall continue until the objection is dealt with by the competent authority.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / March. 19