

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5868 OF 2020

Kamlakar S/o Sudhakar Marde

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr Ameya N. Sabnis, Advocate holding for
for Mr V.D. Gunale, Advocate for Petitioner
Mr S.K. Tambe, A.G.P. for Respondent No. 1
Mr D.G. Nagode, Advocate for Respondent No. 3

**CORAM : RAVINDRA V. GHUGE AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 27th AUGUST, 2020

PER COURT :

1. We have heard the learned counsel for the petitioner, the learned A.G.P. on behalf of respondent No. 1 and the learned counsel on behalf of respondent No. 3, who is the only contesting party in this matter.

2. By this petition, the petitioner has put forth a simple prayer of seeking a direction to respondent No. 3 to decide the pending application of the petitioner dated 04.03.2020 filed under section 3-H (4) of the National Highways Act, 1956.

3. We find that the petitioner is seeking an innocuous direction. In this backdrop, the petitioner is not claiming any reliefs directly against respondent No.2 or 4. These parties are already before respondent No. 3 in the proceeding under Section 3-H of the National Highways Act.

4. In view of the above, this petition is disposed off with a direction to respondent No. 3 to hear all the parties concerned and decide the pending application of the petitioner dated 04.03.2020, at Annexure-H to this petition, as expeditiously as possible and preferably on or before 30th November, 2020.

5. Needless to state, in the event any contesting party moves respondent No. 3 for disbursement of the amount, if the amount is not already disbursed, respondent No. 3 shall hear the petitioner before passing any order.

[SHRIKANT D. KULKARNI, J.]

[RAVINDRA V. GHUGE, J.]

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