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

**4 WRIT PETITION NO.3089 OF 2020
WITH CA/7338/2021**

BALAJI DATTARAO DESHMUKH AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioners : Mr. Anil M. Gaikwad
AGP for Respondents/State : Mr. S.G. Sangle
Advocate for Respondent Nos.1 & 2 : Mr. Bhushan B. Kulkarni
Advocate for Respondent No.3 : Mr. Sachin S. Deshmukh

AND

**5 WRIT PETITION NO.2469 OF 2020
WITH CA/7342/2021**

BALAJI DATTARAO DESHMUKH AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioners : Mr. Anil M. Gaikwad
AGP for Respondents/State : Mr. S.G. Sangle
Advocate for Respondent Nos.1 & 2 : Mr. Bhushan B. Kulkarni
Advocate for Respondent Nos.3 to 6 : Mr. Sachin S. Deshmukh

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**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 09th AUGUST, 2021

PER COURT:-

1. Respondents nos.1 and 2 are entering their affidavits in reply. The same are taken on record from page nos.89 and 95.

2. The learned advocate appearing on behalf of the petitioners in both these petitions, submits on instructions, that the petitioners are agreeable if the authority, exercising jurisdiction under Section 3H(4) of the National Highways Act, 1956 would transmit the proceedings to the

Principal Court of Original Jurisdiction to deal with the said proceedings.

3. All the litigating parties are agreeable and jointly submit further that the compensation amounts may also be transmitted to the said Court.

4. In view of the above, both these petitions are disposed off. The authority concerned shall transmit the proceedings to the Principal Civil Court of Original Jurisdiction under Section 3H(4) of the National Highways Act, 1956. The compensation amounts shall also be transmitted to the said Court which shall be invested in fixed deposit receipt with a nationalized bank. All the contentions of the litigating parties are kept open.

5. Pending civil applications do not survive and stand disposed off.

(S.G. MEHARE. J)

(RAVINDRA V. GHUGE, J)