

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.3380 OF 2018

SANGITA MADHUKAR AAMSULE  
VERSUS  
COMPETENT AUTHORITY AND SUB DIVISIONAL OFFICER, BEED

Mr.K.J.Suryawanshi, Advocate for the petitioner.  
Mr.S.G.Sangle, AGP for respondent No.1.

( CORAM : RAVINDRA V. GHUGE &  
S.G. MEHARE, JJ)

DATE : JULY 6, 2021

PER COURT :

1. The petitioner has put forth prayer clauses “B” and “C”, which read as under :-

*"B. By issuing writ of mandamus, orders or directions in the like nature, the respondent No.1 may kindly directed to refer the objection dated 11.12.2017 (Exhibit "B") to the Ld. Civil Court u/s. 3-H(4) of National Highway Act.*

*C. By issuing writ of mandamus, orders or directions in the like nature, the respondent No.1 be directed to deposit the amount of compensation with the Ld. Civil Court by recovering the same from respondent No.2."*

2. We have considered the submissions of the learned Advocate

for the petitioner and the learned AGP on behalf of respondent No.1. Respondent No.2, though served, has not preferred to enter an appearance, either in person or through an Advocate.

3. We have perused the judgment delivered by this Court on 20/09/2017 in WP No.11504/2017 filed by Rizwana Begum and others Vs. Union of India and others.

4. The learned AGP submits on instructions that considering the Law, the objections raised by the present petitioner on 11/12/2017, can be referred to the learned Civil Court u/s 3-H(4) of the National Highways Act, within 3 weeks.

5. In view of the above, this petition is disposed off. The objections dated 11/12/2017, put forth by the petitioner, would be referred to the learned Civil Court u/s 3-H(4) of the National Highways Act, within 3 (three) weeks from today. Needless to State, the compensation amount, if already disbursed, would be subject to the result of the proceeding before the learned Civil Court.

**( S.G. MEHARE )**

**( RAVINDRA V. GHUGE, J.)**