

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

958 WRIT PETITION NO.7206 OF 2021
VISHWANATH BASAPPA SHETKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Patil Shashikiran N.
AGP for Respondents/State: Mr. P. K. Lakhotiya
Standing Counsel for Respondents No.4&5:
Mr. A. N. Patale

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959 WRIT PETITION NO.7207 OF 2021
PALLAVI SACHIN ROCHKARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners: Mr. Patil Shashikiran N.
AGP for Respondents/State: Mr. P. S. Patil
Standing Counsel for Respondents No.4&5:
Mr. A. N. Patale

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963 WRIT PETITION NO.7211 OF 2021
RAMCHANDRA SHADGU GANJOTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners: Mr. Patil Shashikiran N.
AGP for Respondents/State: Mr. P. K. Lakhotiya
Standing Counsel for Respondents No.4&5:
Mr. A. N. Patale

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**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE: 02nd JULY, 2021

PER COURT:

1. Mr. Patil, learned Counsel for the petitioners submits that the guidelines issued by the respondents under Circular dated 31.03.2016 to the extent of Clause 29B in Writ Petition No. 7206 of 2021 and Clause 16A in Writ Petition Nos. 7207 of 2021 & Writ Petition No. 7211 of 2021 is unreasonable and does not stand to reason. The petitioners own entire chunk of land abutting to the highway. The width of which is more than 400 meters. The entire land has to be considered as one chunk of land. It cannot be divided considering the width upto 500 to 1500 meters. The market value of whole land has to be considered.

2. The learned A.G.P. submits that the State Government has issued Circular dated 13.08.2018, where it has been clarified about the rate of the land to be considered.

3. The award is already passed. The petitioners seeking enhancement of compensation have to approach the arbitrator. The petitioners have

already approached the arbitrator. Naturally, the arbitrator will consider the market value of the land as applicable. The arbitrator will consider the land of the petitioners for the purpose of compensation keeping in mind the circular dated 13.08.2018.

4. With these observations, writ petitions are disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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