

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7476 OF 2020
AND WP/7490/2020
AND WP/7499/2020
AND WP/7498/2020
AND WP/7500/2020

NEETA MANISH AGRAWAL
VERSUS
COMPETENT AUTHORITY AND OR SPECIAL LAND ACQUISITION
OFFICER AND OTHERS

Mr.D.S.Bagul, Advocate for the petitioner.

Mr.R.B.Bhosale, Std.Counsel for respondent No.1 in WP Nos.7476/2020
and WP No.7490/2020.

Mr.A.B.Dhongade, Std.Counsel for respondent No.1 in WP
Nos.7499/2020 and 7500/2020.

Mr.V.D.Sapkal, Sr.Counsel h/f Mr.D.S.Manorkar, Advocate for
respondent No.2.

Mr.S.R.Yadav-Lonikar, AGP for respondent No.3.

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

DATE : JULY 29, 2021

PER COURT :

1. All these petitions are being disposed off in the light of a chart
submitted by respondent No.2 National Highway Authority of India
(For short, NHAI) which is acceptable to the petitioners and considering
certain directions issued by this Court in judgment dated 03/07/2021,

delivered in WP No.5250/2020 filed by Bhaguji Nathaji Maind and others Vs. the Union of India and others.

2. The chart (3 pages) placed before us by respondent No.2 is taken on record and marked as 'X-1 collectively'. This chart shall be a part and parcel of this order.

3. In WP No.7499/2020, the National Highway Authority of India/ respondent No.2 has acquired 9656 Sq.Mts. of land for which an award is delivered and amounts are paid to the beneficiaries. NHAI further desires to acquire 8050 sq.mts. of land and for which purpose, a notification is issued and an award is yet to be delivered. The NHAI submits that the legal procedure set out u/s 3 of the National Highways Act, shall be followed and any person who may have a title or interest, may raise an objection before the appropriate authority. The petitioners are agreeable.

4. In WP No.7490/2020, NHAI indicates from X-1 that 11366 Sq.Mts. of land has been acquired and a further 19156 Sq.Mtrs. of land is required. A notification has been issued and CALA will consider the

objections of any person whose land is affected, by following the procedure laid down u/s. 3 of the National Highways Act and all objections would be dealt with by CALA. The petitioners are agreeable.

5. In WP No.7476/2020, NHAI makes a statement that no further land is needed and this petition can be disposed off.

6. In WP no.7500/2020, NHAI makes a statement that no further land is required and this petition can be disposed off.

7. In WP No.7498/2020, besides the 200 Sq.Mts. acquired for which an award has been declared, no further land is sought to be acquired by the NHAI.

8. In view of the above statements, we dispose off all these petitions by recording the above statements in the light of X-1.

9. In the event of any measurement of lands being required to be done, the District Collector, Nandurbar shall monitor such measurement. If any of the petitioners are aggrieved by any portion of

their land, over and above the lands mentioned in X-1, being affected, they would be at liberty to raise a dispute before a CALA. The measurement of lands, if required, shall be undertaken by the District Collector and in presence of all the litigating parties/title holders/persons having interests in the property, preferably within a period of 30 days.

10. Needless to state, any land over and above the details set out in X-1 is to be acquired, the procedure laid down in Law shall be followed.

11. As these petitions are disposed off, ad-interim order passed by this Court stands vacated.

12. Parties are at liberty to act on this order being uploaded on the official website of the Bombay High Court.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)