

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

**916 WRIT PETITION NO.11431 OF 2021**

AJAY GAJANAN KHAIRNAR (PATIL)

VERSUS

THE GOVERNMENT OF INDIA AND ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.

ASG for Respondent No. 1: Mr. A. G. Talhar

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**917 WRIT PETITION NO.11432 OF 2021**

SHIVDAS TUKARAM PATIL

VERSUS

THE COMPETENT AUTHORITY AND ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.

Advocate for Respondent No. 1: Mr. S. S. Deve

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**918 WRIT PETITION NO.11433 OF 2021**

RAJESH MANAKCHAND MUNOT AND ANOTHER

VERSUS

THE UNION OF INDIA THROUGH THE SECRETARY AND  
OTHERS

...

Advocate for Petitioners: Mr. Kulkarni Mukul S.

Advocate for Respondents No. 1&3: Mr. D. G. Nagode

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**919 WRIT PETITION NO.11434 OF 2021**  
**RIKHABCHAND SHANKARLAL JAIN (CHAJED) AND OTHERS**  
**VERSUS**  
**THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND**  
**ANOTHER**

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondent No. 1: Mr. R. R. Banger  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**920 WRIT PETITION NO.11435 OF 2021**  
**GOVIND PRAVIN PATEL AND ANOTHER**  
**VERSUS**  
**THE UNION OF INDIA THROUGH THE SECRETARY AND**  
**OTHERS**

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondents No.1&3: Mr. Bhosale R. B.  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**921 WRIT PETITION NO.11436 OF 2021**  
**SHAKUNTALA MADHUKAR WANI (PATKAR)**  
**VERSUS**  
**THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND**  
**ANOTHER**

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 ASG for Respondent No. 1: Mr. A. G. Talhar  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**922 WRIT PETITION NO.11437 OF 2021**  
**VANDANABAI DILIP PATIL**  
**VERSUS**  
**THE GOVERNMENT OF INDIA THROUGH THE SECRETARY AND**  
**OTHERS**

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 ASG for Respondents No. 1&3: Mr. A. G. Talhar  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...  
**AND**

...

**923 WRIT PETITION NO.11438 OF 2021**

RAJESH CHANDRAMAL GALANI

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 ASG for Respondent No. 1: Mr. A. G. Talhar  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...  
**AND**

...

**924 WRIT PETITION NO.11439 OF 2021**

JITENDRA NARAYAN RAJPUT (KACHHVA )

VERSUS

THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND  
 ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondent No. 1: Mr. A. B. Dhongade  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...  
**AND**

...

**925 WRIT PETITION NO.11441 OF 2021**

AJAY GAJANAN KHAIRNAR (PATIL )

VERSUS

THE GOVERNMENT OF INDIA THROUGH THE SECRETARY AND  
 OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondent No. 1: Mr. D. G. Nagode  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...  
**AND**

...

**926 WRIT PETITION NO.11442 OF 2021**

VIJAY HARCHAND PATIL AND ANOTHER

VERSUS

THE GOVERNMENT OF INDIA THROUGH THE SECRETARY AND  
OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondents No. 1&3: Mr. A. N. Patale  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**927 WRIT PETITION NO.11443 OF 2021**

DILIP SITARAM PATIL

VERSUS

THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND  
ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondent No. 1: Mr. S. S. Deve  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**928 WRIT PETITION NO.11444 OF 2021**

TUKARAM NAMDEO PATIL

GPA HOLDER SACHIN TUKARAM PATIL

VERSUS

THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND  
ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondent No. 1: Mr. Patale A. N.  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**929 WRIT PETITION NO.11445 OF 2021**

PAYAL HARESH PRADHYANI

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 ASG for Respondents No. 1&3: Mr. A. G. Talhar  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**930 WRIT PETITION NO.11446 OF 2021**

ANANDA SHIVRAM PATIL (CHAVHAN)

VERSUS

THE COMPETENT AUTHORITY AND ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondent No.1: Mr. Bhosale R. B.  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**931 WRIT PETITION NO.11447 OF 2021**

CHANDRAMAL PRADHANMAL GALANI

VERSUS

THE UNION OF INDIA THROUGH THE SECRETARY

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 Advocate for Respondents No.1&3: Mr. Patale A. N.  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**932 WRIT PETITION NO.11448 OF 2021**

JANKI PRAKASH BAJAJ

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
 ASG for Respondents No.1&3: Mr. A. G. Talhar  
 AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**933 WRIT PETITION NO.11449 OF 2021**

AARTIBAI SURESHKUMAR SHAHADATPURI

VERSUS

THE GOVERNMENT OF INDIA THROUGH THE SECRETARY AND  
OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondents No.1&3: Mr. Banger R. R.  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**934 WRIT PETITION NO.11450 OF 2021**

JANKI PRAKASH BAJAJ

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondents No.1&3: Mr. Banger R. R.  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**935 WRIT PETITION NO.11451 OF 2021**

MAYABAI CHANDRAMAL GALANI

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondents No.1&3: Mr. Banger R. R.  
AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**936 WRIT PETITION NO.11452 OF 2021**

RAJESH CHANDRAMAL GALANI

VERSUS

THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.  
Advocate for Respondents No.1&3: Mr. Patale A. N.

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**937 WRIT PETITION NO.11453 OF 2021**

KASHINATH JAGANNATH WANI (PATKAR)

VERSUS

THE COMPETENT AUTHORITY AND ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.

Advocate for Respondent No.1: Mr. Dhongade A. B.

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**AND**

...

**974 WRIT PETITION NO.11508 OF 2021**

CHIMANSING RAMSING RAJPUT (KACHCHHWA)

VERSUS

THE COMPETENT AUTHORITY NATIONAL HIGHWAY NO. 3 AND  
ANOTHER

...

Advocate for Petitioner: Mr. Kulkarni Mukul S.

ASG for Respondent No.1: Mr. A. G. Talhar

AGP for Respondent/State: Mr. P. K. Lakhotiya

...

**CORAM: S. V. GANGAPURWALA &**

**R. N. LADDHA, JJ.**

**DATE: 13<sup>th</sup> OCTOBER, 2021**

**PER COURT:**

1. At the request of the learned Advocate for the petitioners, leave to add parties.

2. Mr. Kulkarni, learned Advocate for the petitioners submits that the lands of the

petitioners were acquired, the award was passed, the compensation amount was determined, however, neither the solatium component nor the interest were awarded to the petitioners as compensation. In the appeals preferred by the petitioners the Arbitrator enhanced the compensation amount, however, did not grant solatium and interest. The learned Advocate submits that the Hon'ble Apex Court in case of *Union of India (UOI) and others Vs. Tarsem Singh and others* reported in (2019) 9 SCC 304 has held that the persons whose lands are acquired under the National Highways Act are now entitled for solatium component and interest. The Hon'ble Apex Court further observed that the persons whose lands are acquired from 1997 up to 2015 under the National Highways Act should pay compensation with solatium and interest. Pursuant thereto, the petitioners made representations to the respondents seeking benefit as per the said Judgment in the year-2019. The same is not yet decided.

3. The learned Advocate for respondent no. 1 and added party submits that the Competent Authority will decide the application of the petitioner on it's own merits, in accordance with law.

4. Considering the fact that the applications of the petitioners are pending consideration with the Competent Authority (*Exhibit "F"*), the Competent Authority shall take decision upon it on it's own merits, in accordance with law applicable, after hearing all parties concerned viz. petitioners and the the acquiring body. The same shall be decided preferably within a period of six (06) months.

5. Writ Petitions accordingly stand disposed of.  
No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]

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