

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

WRIT PETITION NO. 13393 OF 2021

Shyam Mohanlal Agrawal .. Petitioner

Versus

The Union of India and others .. Respondents

Shri Mukul S. Kulkarni, Advocate for the Petitioner.

Shri R. R. Bangar, Advocate for Respondent Nos. 1 and 3.

Shri A. R. Kale, A.G.P. for the Respondent No. 2.

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

DATE : 04TH DECEMBER, 2021.

FINAL ORDER :

. Mr. Kulkarni, learned advocate for the petitioner submits that the land of the petitioner was acquired, the award was passed, the compensation amount was determined, however, neither the solatium component, nor the interest was awarded to the petitioner as compensation. In the appeals preferred by the petitioner the Arbitrator enhanced the compensation amount, however, did not grant solatium and interest. The learned Advocate submits that the Hon'ble Apex Court in a 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 petitioner made representation to the respondents seeking benefit as per the said Judgment on 01.10.2021. The same is not yet decided.

3. The learned Advocate for respondent no. 1 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 application of the petitioner is 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. petitioner and the the acquiring body. The same shall be decided expeditiously and preferably within a period of six (06) months from today.

5. The writ petition accordingly stands disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]