

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

WRIT PETITION NO. 13740 OF 2021

Indian Hume Pipe Co. Ltd.
Through its Sr. factory manager
Sanjay Avinash Deshmukh

.. Petitioner

Versus

The Union of India
Through the Secretary,
and others

.. Respondents

Mr. Mukul S. Kulkarni, Advocate for the Petitioner.
Mr. P. K. Lakhotiya, AGP for Respondents/State.
Ms. Sudha Chintamani, Advocate for Respondent Nos. 1 and 3.

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 09th DECEMBER, 2021.

PER COURT:-

. 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 were awarded to the petitioner as compensation. In the appeal 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 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 in the year-2019. The same is not yet decided.

2. 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.

3. 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 acquiring body. The same shall be decided preferably within a period of six (06) months from today.

4. Writ Petition accordingly stands disposed of. No costs

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.