

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.14418 OF 2021**

BHIKAN SHALIGRAM PATIL AND OTHERS ..PETITIONERS

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

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Mr. Mukul S. Kulkarni, Advocate for the
Petitioners.

Mr. S. P. Tiwari, AGP for Respondents-State.

Mr. Bhushan B. Kulkarni, Advocate for Respondent
Nos.1, 3 and 4.

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

DATED : 21st DECEMBER, 2021.

PER COURT:-

1. Mr. Kulkarni, learned Advocate for petitioners submits that, the lands of petitioners were acquired, the award was passed, the compensation amount was determined, however, neither the solatium component nor the interest were awarded to petitioners as compensation. In the appeal preferred by 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, persons whose lands are acquired from 1997 up to 2015 under the

National Highways Act should pay compensation with solatium and interest. Pursuant thereto, petitioners made representations to 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 applications of petitioners on it's own merits, in accordance with law.

3. Considering the fact that, applications of 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 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