

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.13811 OF 2021**

NANAKCHAND PYARELAL TANEJA ..PETITIONER

VERSUS

THE UNION OF INDIA AND OTHERS ..RESPONDENTS

**AND
WRIT PETITION NO.13821 OF 2021**

VIJAYKUMAR NARAYAN PATEL ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

**AND
WRIT PETITION NO.13822 OF 2021**

NANDKISHOR BABULAL AGRAWAL ..PETITIONER

VERSUS

THE GOVERNMENT O INDIA AND OTHERS ..RESPONDENTS

**AND
WRIT PETITION NO.13825 OF 2021**

NANDKISHOR BABULAL AGRAWAL ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

**AND
WRIT PETITION NO.13826 OF 2021**

PRAVIN RAMESH PATIL ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13829 OF 2021

GURUDWARA (SHIKH SAMAJ MANDIR) THROUGH SANTH DHIRAJ
SHING PURANSHING BABAJI ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13837 OF 2021

ALKA NARESH MUNOT AND OTHERS ..PETITIONERS

VERSUS

THE UNION OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13852 OF 2021

ANIL DATTATRAY PATIL ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13857 OF 2021

ANIL DATTATRAY PATIL AND ANOTHER ..PETITIONERS

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13860 OF 2021

NIKHIL DAULATKUMAR SHAH AND ANOTHER ..PETITIONERS

VERSUS

THE UNION OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13862 OF 2021

NANAKCHAND PYARELAL TANEJA ..PETITIONER

VERSUS

THE UNION OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13867 OF 2021

RAMCHANDRA KADU WANI (PATKAR) DECEASED L/H 1
PANDURANG RAMCHANDRA PATKAR DECEASED AND OTHERS
..PETITIONERS

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13873 OF 2021

AVINASH RAJESH MEVANI AND OTHERS ..PETITIONERS

VERSUS

THE UNION OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13876 OF 2021

ANIL DATTATRAY PATIL (BHADANE) AND ANOTHER
..PETITIONERS

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13877 OF 2021

NANDKISHOR BABULAL AGRAWAL ..PETITIONER

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

AND
WRIT PETITION NO.13907 OF 2021

YAKUB DADAN KHATIK DECEASED THROUGH LRS SAHEBNUR
YAKUB KHATIK AND OTHERS ..PETITIONERS

VERSUS

THE GOVERNMENT OF INDIA AND OTHERS ..RESPONDENTS

...

Mr. Mukul S. Kulkarni, Advocate for the Petitioners in all WP.

Mr. S. P. Tiwari, AGP for Respondents-State in all WP.

Mr. R. B. Bhosle, Mr. A. G. Talhar, Mr. R. R. Bangar, Mr. S. S. Deve, Mr. A. B. Dhongade, Advocate for Respondent Nos.1 and 3 in respective WP.

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

DATED : 13th 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 appeals 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, 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, petitioners made representations to the respondents seeking benefit as per the said Judgment in the year-2019. The same are not yet decided.

2. The learned Advocate for respondent nos.1 and 3 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, the 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 Petitions accordingly stand disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE