

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2533 OF 2019

Hindustan Petroleum Corporation Ltd. ...Petitioner
vs.
State of Maharashtra Through Govt.
Pleader and Ors. ...Respondents

**ALONGWITH
WRIT PETITION NO. 2607 OF 2019**

Hindustan Petroleum Corporation Ltd. ...Petitioner
vs.
State of Maharashtra Through Govt.
Pleader and Ors. ...Respondents

Mr. Javeed Hussein, Mr. Sakib Gupran Mr. Mubasshil Hussein i/by
Hussein & Co., for the Petitioner
Mr. P. B. Gujjar a/w Siddharth Ambegaonkar i/by Hinge and
Deshmukh Asso. - for the Respondent No. 3
Mr. R. S. Pawar – AGP in WP No. 2607 of 2019.
Mr. S. L. Babar – AGP in WP No. 2533 of 2019.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 30th NOVEMBER, 2021

PER COURT:-

. The Petitioner is Hindustan Petroleum Corporation Limited
Government of India Enterprise filed these petitions. In the matter,
the Petitioner challenged the notifications issued for the acquisition

of the piece of land in Gat Nos. 491 and 492, situated at Village Wadegaon, Tal. Sangola, District Solapur for extension of National highway No. 166 by the Respondent No. 3 - National Highways Authority of India.

2. On the backdrop of the fact submitted before this Court, piece of land was already acquired way back in the year 2005, for installation of cross country pipeline alongwith Isolation Valve, Cathodic Protection System Telecom System and associated facilities.

3. Learned counsel appearing for the Petitioner as well as the Respondent No. 3 -National Highways Authority of India submitted that due to an effective intervention of District Collector of Solapur, the parties have arrived at an amicable settlement as in terms of the minutes of the Consent. The copy of this terms of settlement/minutes of Consent is placed on record. The same is taken on record and marked 'X' for identification.

4. The minutes of the consent also refers to the meeting conducted under the Chairmanship of District Collector, Solapur on 17/06/2021 at Collector Office, Solapur. Apart from the other terms there is also reference to one of the important term at Serial No. 2 in the minutes of the Consent and it reads that :

The Respondent No. 3 (NHAI) agrees and undertakes to acquire sufficient and suitable adjacent land for relocation of HPCLs affected facilities of SV-7 and Anode bed outside NHAI's Row.

Then the minutes of the Consent also referred the agreement of the parties in so far as the facilities and quantum is concerned.

5. It is also stated in the minutes of the Consent that as the litigants are Government of India Enterprise and both are engaged in the activities of National interest, it has become necessary and expedient to sort out the differences and disputes amicably, with the kind indulgence of District Collector, Solapur as a Mediator in the dispute. Further in clause 13 in the minutes of the Consent states that petitions stands withdrawn as against Respondent No. 1, 2 and 4, the said documents is duly signed by the authorized signatures of the General Manager, MPSPL- Raja Kishor Barik, Respondent No. 3 – NHAI – Shri Sanjay Kadam, Project Director, PIU, Solapur and the said document is also duly signed by the learned counsel appearing for the respective parties namely learned Advocate for the Petitioner and learned Advocate for the Respondent No. 3.

6. We appreciate the active efforts taken by the District Collector, Solapur considering the National interest. We place on record

appreciation for the active steps taken by the District Collector, Solapur in leading the parties for an amicable settlement considering the National interest.

7. Accordingly, petitions are disposed of in terms of the minutes of the Consent placed on record.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)