

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1164 OF 2021**

Vasant Narayan Patil and Anr.	...	Petitioners
versus		
The Sub-Divisional Officer and Competent Authority Bhiwandi Division and Ors.	...	Respondents

Mr. R.D.Suryawanshi, for Petitioners.
Mrs. R.M.Shinde, AGP, for State.
Mr. Sanjay Patil, for Respondent Nos.2 and 3.

**CORAM: S.J. KATHAWALLA &
PRITHVIRAJ K. CHAVAN, JJ.
(THROUGH VIDEO CONFERENCING)**

DATE: 22nd APRIL, 2021

P.C.:

1. By the above Writ Petition, the Petitioners inter alia seek the following reliefs:

- “(a) This Hon’ble Court be pleased to issue a writ of mandamus, orders, directions or any other appropriate writ in that nature, directing the Respondent No.1 to decide the objections of the Petitioners dated 3.6.2019 (Exhibit G to the Petition) and 5.3.2020 (Exhibit H to the Petition) in respect of release of compensation to the Respondent Nos.2 to 9 in respect of land bearing Survey No.91, Hissa No.1, area admeasuring 0H – 22R – 16 Prati, lying and being and situate at Village Supegaon, Post Angaon, Taluka Bhiwandi, Dist. Thane;
- (b) this Hon’ble Court be pleased to issue a writ of mandamus, orders, directions or any other appropriate writ in that nature, directing the Respondent No.1 to refer the dispute to the Principal Civil Judge as

per Section 3-C(iv) of the National Highways Act, 1956 and deposit the amount of compensation in the Court;”

2. The learned AGP on instructions states that the objections filed by the Petitioners dated 3rd June, 2019 and 5th March, 2020 (Exhibit G and H respectively to the Petition) will be decided within a period of six weeks from today and till then, the compensation will not be disbursed in favour of any of the Respondents. The statement is accepted as an undertaking given to this Court.

3. The Sub-Divisional Officer, Bhiwandi, shall ensure that if the Order passed by him is against the Petitioners, the compensation shall not be disbursed for a further period of two weeks from the date of service of his Order on the Petitioners and/or their Advocates. All contentions of the parties are kept open.

4. The Writ Petition is accordingly disposed of.

(PRITHVIRAJ K. CHAVAN, J.)

(S.J.KATHAWALLA, J.)