

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3083 OF 2021

Subhash Purushottam Deshmukh
Aged about 76 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tq. & District Wardha

.... PETITIONER

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3750 OF 2021

Gajanan Rameshwar Mude,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3766 OF 2021

Narendra Dattatray Waghale,
Aged years, Occu. Agriculturist,
R/o Salod, Post- Salod,

Tq. & District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3751 OF 2021

Ganpat S/o Punjaram Borkar,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3775 OF 2021

Uddhav Gulabrao Deshmukh,
Aged years, Occu. Agriculturist,
R/o Salod, Post- Salod,
Tah. & District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075

2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3767 OF 2021

Datta S/o Maroti Raut,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways

Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3757 OF 2021

Avinash S/o Janardan Kubde,
Aged years, Occu. Agriculturist,
R/o Salod, Post - Salod
Tah. & District - Wardha

.... **PETITIONER**

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1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
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Bhavan No.1, Parliament Street,
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NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3781 OF 2021

Dhanraj S/o Madhukar Ikhar,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha

5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3762 OF 2021

Ramesh S/o Pandurang Mude,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3764 OF 2021

Dnyaneshwar Shamrao Kasatwar,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3753 OF 2021

Indubai Manikrao Borkar,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,

Tah. Seloo, District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
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NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3777 OF 2021

Dhiraj Homdev Bhure,
Aged 36 years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3752 OF 2021

Shubham Subhash Bhure,
Aged 24 years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075

2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3756 OF 2021

Ashokrao S/o Bapurao Rode,
Aged 60 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. Seloo & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan

Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3754 OF 2021

Satish S/o Atmaram Borkar,
Aged 55 years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
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Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
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NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land

Acquisition Officer (General),
Wardha, Distt. Wardha

5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3776 OF 2021

Sanjay S/o Rambhau Mehatre,
Aged 56 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
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NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH**WRIT PETITION NO. 3755 OF 2021**

Chandrakant Rambhau Mehatre,
Aged 62 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH**WRIT PETITION NO. 3778 OF 2021**

Shashank Ramchandra Mude,
Aged years, Occu. Agriculturist,

R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3774 OF 2021

Aruna Ramrao Wandile,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3779 OF 2021

Lipika Alok Biswas,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075

2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3773 OF 2021

Janardan S/o Vithoba Dhavne,
Aged years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways

Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3770 OF 2021

Dnyaneshwar Marotrao Talwekar,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3759 OF 2021

Wanmala Subhash Humne,
Aged 51 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
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4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha

5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3748 OF 2021

Deorao Khushabrao Fating,
Aged 64 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
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Bhavan No.1, Parliament Street,
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Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3763 OF 2021

Sudam S/o Shamrao Raut,
Aged 55 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
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Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3772 OF 2021

Indubai Pandurang Raukar,
Aged 79 years, Occu. Agriculturist,
R/o Salod, Post – Salod,

Tah. & District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
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Bhavan No.1, Parliament Street,
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Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3749 OF 2021

Dhanraj S/o Madhukar Ikhar,
Aged 51 years, Occu. Agriculturist,
R/o Gondapur, Post Kanhapur,
Tah. Seloo, District - Wardha

.... **PETITIONER**

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3765 OF 2021

Gajanan Rameshwar Mude,
Aged 45 years, Occu. Secretary, Maroti
Devasthan Kameti, Gondpur,
R/o Gondpur, Post – Kanhapur,
Tah. Seloo, District - Wardha

.... PETITIONER

// **VERSUS** //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street,

New Delhi-110 075

2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
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Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3782 OF 2021

Avdhoot Haribhau Kamdi,
Aged 54 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha

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NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3758 OF 2021

Satish Purushottam Deshmukh,
Aged 77 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal

4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha
5. The Arbitrator (Additional Commissioner) Old Secretariat Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3768 OF 2021

Subhash Pandurang Ruikar,
Aged 36 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its Secretary, Ministry of Shipping, Road Transport and Highways, through its Secretary, Transport Bhavan No.1, Parliament Street, New Delhi-110 075
2. The State of Maharashtra, through its Collector, Wardha
3. The Project Director (NHAI) PIU NH-361, the National Highways Authority of India, R/o Chandan Niwas, Plot No. 13, Part-2, Kolhe Layout, Dharwa Road, District Yavatmal
4. The Competent Authority and Deputy Collector, Land Acquisition Officer (General), Wardha, Distt. Wardha

5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3780 OF 2021

Kishor Dnyaneshwar Madavi,
Aged 44 years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3771 OF 2021

Mandakini Dnyaneshwar Talwekar,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... **RESPONDENTS**

WITH

WRIT PETITION NO. 3761 OF 2021

Ramji S/o Balkrushna Mehatre,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... **PETITIONER**

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,
through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075
2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

WITH

WRIT PETITION NO. 3760 OF 2021

Rajesh s/o Narayan Hatwar,
Aged years, Occu. Agriculturist,
R/o Salod, Post – Salod,
Tah. & District - Wardha

.... PETITIONER

// VERSUS //

1. Union of India, through its
Secretary, Ministry of Shipping,
Road Transport and Highways,

through its Secretary, Transport
Bhavan No.1, Parliament Street,
New Delhi-110 075

2. The State of Maharashtra,
through its Collector, Wardha
3. The Project Director (NHAI) PIU
NH-361, the National Highways
Authority of India, R/o Chandan
Niwas, Plot No. 13, Part-2, Kolhe
Layout, Dharwa Road, District
Yavatmal
4. The Competent Authority and
Deputy Collector, Land
Acquisition Officer (General),
Wardha, Distt. Wardha
5. The Arbitrator (Additional
Commissioner) Old Secretariat
Building, Civil Lines, Nagpur

.... RESPONDENTS

Shri Bhushan Dafle, Advocate for petitioner
Shri P.V. Navlani, Advocate for respondent No.1
Shri K.L. Dharmadhikari, AGP for respondent Nos. 2, 4 and 5
Shri A.A. Kathane, Advocate for respondent No.3

CORAM : N.B. SURYAWANSHI, J.

DATE : 06/10/2021

JUDGMENT

Rule. Rule made returnable forthwith. Heard finally with
the consent of the learned Advocates for the parties.

2. Since all these petitions raise similar question of law and facts, they were heard together and are being decided by this common order.

3. The petitioners are aggrieved by the orders passed by the Principal District Judge, Nagpur below Exh. 1, in the Arbitration Cases, thereby keeping the cases for hearing on the point of jurisdiction.

4. The petitioners are claimants whose lands are acquired for the purpose of construction of National Highway. Awards in all the matters were passed on 08/02/2018 and 10/10/2018. The petitioners claimed enhanced compensation by filing Arbitration cases before Additional Commissioner, Nagpur, Division Nagpur i.e. Arbitrator under Section 3-G(5) of the National Highways Act, 1956. The Commissioner decided the Arbitration proceedings and enhanced the compensation. The Commissioner/Arbitrator passed award in the Arbitration proceedings on 08/01/2020 and 09/01/2020, granting enhancement of compensation.

5. The respondents being aggrieved by the awards passed by the Commissioners filed applications under Section 34 of the Arbitration

and Conciliation Act, 1956 before Principal District Judge, Wardha, praying for quashing and setting aside the said awards.

6. The respondents filed applications under Order – 7, Rule – 10 of the Code of Civil Procedure seeking return of the complaints on the ground that Arbitration proceedings were conducted at Nagpur and therefore the proceedings challenging the arbitration award ought to have been filed in the Court at Nagpur. The petitioners have given no objection to the said applications. The learned Principal District Judge, Wardha, by relying on the order passed by this Court in **Writ Petition No. 4248/2019, Omprakash S/o Ramnivas Varma and others Vs. Vijay Dwarkada Varma**, held that the Court at Nagpur is having jurisdiction as the entire arbitration proceeding were held at Nagpur and nobody has raised objection in respect of the place of arbitration and returned the complaints to the respondents for presentation before appropriate Court.

7. The respondents thereafter filed applications before the Principal District Judge, Nagpur which were registered by giving Arbitration Case (MCA) Nos. 114/2021, 148/2021, 149/2021, 147/2021, 143/2021, 113/2021, 106/2021, 155/2021, 146/2021, 116/2021, 151/2021, 145/2021, 148/2021, 118/2021, 157/2021,

126/2021, 117/2021, 141/2021, 121/2021, 110/2021, 156/2021, 124/2021, 119/2021, 112/2021, 142/2021, 150/2021, 152/2021, 153/2021, 120/2021, 115/2021, 108/2021, 158/2021, 111/2021, 107/2021, 109/2021.

However by the orders passed below Exh. 1, on 03/05/2021, the learned Principal District Judge, Nagpur kept the cases for hearing on the point of jurisdiction. These orders are impugned in the present petitions.

8. Heard Shri Dafle, learned Advocate for the petitioner, Shri Navlani, learned Advocate for respondent No.1, Shri Kathane, learned Advocate for respondent No.3 and Shri K.L. Dharmadhikari, learned Assistant Government Pleader for respondent Nos. 2, 4 and 5.

9. The learned Advocates representing the respective parties fairly agree that the issue raised in the present petitions is covered by the decision of this Court in Writ Petition No.4248/2019, which is rendered in similar facts. The relevant observations in the said decision are as under:

“The parties could clearly agree to a place of arbitration even in the absence of such a place being specified in the arbitration clause. This could be ascertained from the conduct of the parties also. In the present case, it is an admitted

position that there was no dispute or controversy between the parties as regards Nagpur being the place of arbitration. Both parties appeared before the learned arbitrator appointed by this Court, at Nagpur and when the proceedings were initiated before the learned Arbitrator at Nagpur, neither of the parties raised any objection or dispute or controversy with regard to the place of arbitration being Nagpur.”

“Admittedly, the entire arbitration proceedings, pursuant to appointment of arbitrator by this Court, took place at Nagpur, without any objection being raised by either party and the award was pronounced and signed at Nagpur. Therefore, in the facts of the present case, sub-section (I) of section 20 of the said Act squarely applies, thereby showing that the parties agreed to Nagpur as place of arbitration.”

“Once this conclusion is arrived at, it becomes clear that when the place of arbitration was Nagpur, it operated as a clause of exclusive jurisdiction in Courts at Nagpur.”

10. In the light of the above observations, it is clear that in terms of Section 20 (1) of the Arbitration Act, the parties are free to agree on the place of arbitration. Admittedly, entire arbitration proceedings were held at Nagpur and nobody raised an objection in respect of place of arbitration. The learned Principal District Judge, Wardha was therefore justified in relying on the observations in ***Omprakash Verma*** (supra) and has rightly allowed the applications filed by the respondents and returned the complaints for presentation before the appropriate Court.

11. In the light of the aforestated facts and circumstances, the learned Principal District Judge had no occasion to keep the cases for hearing on the point of jurisdiction. The point of jurisdiction is already covered by the judgment of this Court in ***Omprakash Verma*** (supra), according to which the Court at Nagpur has jurisdiction to entertain the proceedings filed by the respondents. The impugned orders passed by the learned Principal District Judge, Nagpur are therefore unsustainable and are liable to be quashed and set aside. Hence the following order.

12. The impugned orders passed below Exh.1 in the arbitration cases challenged in the respective petitions, thereby keeping the cases for hearing on the point of jurisdiction by the learned Principal District Judge, Nagpur are hereby quashed and set aside. The Principal District Judge, Nagpur to proceed with the matters, in accordance with law.

Rule is made absolute in the above terms. No order as to costs.

JUDGE

J.Pethe..