

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6346 OF 2021

Ganesh Vasant Thombare	 Petitioner
Vs.	
The Competent Authority Cum Sub Divisional Officer & Anr.	 Respondents

WITH

**INTERIM APPLICATION NO.176 OF 2022
IN
WRIT PETITION NO.6346 OF 2021**

Gajanan Prabhakar Kumbhar & Ors.	 Applicants / Intervenors
Ganesh Vasant Thombare	 Petitioner
Vs.	
The Competent Authority Cum Sub Divisional Officer & Anr.	 Respondents

WITH

WRIT PETITION NO.3646 OF 2022

Gajanan Prabhakar Kumbhar & Ors.	 Petitioners
Vs.	
State of Maharashtra & Ors.	 Respondents

Mr. Sushant Prabhune for the Petitioner in 6346/2021
Mr. S. L. Babar, AGP for the State
Mr. Manoj Patil with Ashish Pawar for the Petitioner in 3646/2022 and
for the Applicant in the Interim Application

**CORAM: S.V. GANGAPURWALA &
M. G. SEWLIKAR, JJ.**

DATED : APRIL 20, 2022

P.C.

1 It appears that land bearing Gut No.122 and 125 are acquired. The Petitioner in Writ Petition No.6346 of 2021 prays for disbursement of the amount of compensation. Similar prayer is made by the Petitioner in Writ Petition No.3646 of 2022.

2 It appears that the Petitioner in Writ Petition No.3646 of 2022 had raised an objection before the Competent Authority. The objection, it appears, is referable to Section 3H of the National Highways Act, 1956 (**the Highways Act**).

3 One of the grievances of the Petitioner in Writ Petition No.6346 of 2021 is that the Competent Authority is not passing any orders.

4 Naturally, once an objection has been filed either under Section 3H(3) or 3H(4) of the Highways Act, some decision will have to be arrived at by the Competent Authority.

5 The parties shall appear before the Competent Authority on 29th April 2022. The Competent Authority shall, after hearing the Petitioners, take decision on the objection, preferably within two months from the date of appearance of the parties. As the date of appearance is

already given by this Court, it is not necessary for the Competent Authority to issue notice to the parties.

6 Depending upon the decision taken by the Competent Authority, the parties may take appropriate steps.

7 All contentions of the parties are kept open.

8 The Writ Petitions and the Interim Application stand disposed of.

(M. G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)

BASAVRAJ
GURAPPA
PATIL

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