

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

**TRUPTI
SADANAND
BAMNE**

WRIT PETITION NO. 11599 OF 2022

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TRUPTI SADANAND
BAMNE

Date: 2022.10.06
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Late Dhondu Kavlya Khanavkar

Lt. Gangubai Dhondu Khanavkar

Through their legal heirs

1. Mr. Suresh Dhondu Khanavkar & Ors. ... Petitioners

Versus

The Union of India & Ors. ... Respondents

.....

Mr. Mahesh Vishwakarma with Ms. Sayli Gite i/b. Chavhan & Associates for the Petitioners.

Ms. Apurva Gupte with Mr. Ashutosh Misra for Respondent No.1- UOI.

Mr. R.S.Pawar, AGP for the State.

.....

**CORAM : NITIN JAMDAR AND
SHARMILA U. DESHMUKH, JJ.**

DATE : 4 OCTOBER 2022

P.C. :

Heard the learned Counsel for the parties.

2. A limited grievance made by the Petitioners is that after acquisition by the National Highways Authority of India of the concerned land, the Competent Authority has not proceeded with either under section 3 (H) (3) or 3 (H) (4) of the National Highways Act, 1956 since the year 2020 and the Competent Authority must proceed as per law within time bound period.

3. The learned AGP states that the Competent Authority will take necessary decision as to whether the case is covered under section 3 (H) (3) or 3 (H) (4) of the National Highways Act, 1956 and take necessary steps accordingly within a period of eight weeks from today. Statement is accepted. The Competent Authority will do so accordingly.

4. After the Competent Authority takes a decision either to proceed with under section 3 (H) (3) or 3 (H) (4) of the National Highways Act, 1956, the Competent Authority will not give effect to the said decision for a period of four weeks in case the parties aggrieved by the decision want to challenge it in appropriate forum.

5. Writ petition is disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)