

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

Civil Application (CAM) No. 06/2022

IN

Arbitration Appeal (AA) No. 06/2015 (D)

Rajeshkumar Babulal Jejani

..VS..

Secretary to the Government of India and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri C.B. Dharmadhikari, Advocate for the applicant

Shri A.A. Kathane, Advocate for respondent nos. 1 and 2

Ms. Hemlata Jaipurkar, Assistant Government Pleader for respondent nos. 3 and 4/
State

Ms. Pooja Daga, Advocate for the appellant

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, J.J.

DATED : 13/04/2022

Heard.

The learned Counsel for the applicant seeks clarification of the judgment dated 26.11.2021 in so far as the prayers made in Civil Application (CAM) No. 37/2017 have not been considered while deciding the Arbitration Appeal. Attention is invited to the order dated 12.03.2019 passed in Civil Application (CAM) No. 37/2017 by which it was directed that this application would be considered when the Arbitration Appeal was heard finally. In the judgment dated 26.11.2021 there is no observation with regard to consideration of the prayers made in the civil application. According to the original appellant since Counsel for the present applicant was not present when the appeal was heard there are no orders passed on that civil application.

Be that as it may, the fact remains that there is no specific order passed in Civil Application (CAM) No. 37/2017 while

disposing of the same. The prayer made in that civil application is for permission to intervene in the proceedings as the applicant claims his share in the amount of compensation as adjudicated for acquiring the lands in question.

In view of the provisions of Sub-sections (3) and (4) of Section 3H of the National Highways Act, 1956 it is open for the applicant to take such steps as are permissible in law for redressal of his grievance in that regard.

With this clarification, the civil application is disposed of.

JUDGE

JUDGE

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MAHADEV
GATE

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