

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.9777 OF 2022

**BALIRAM GANAPATRAO JADHAV AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS**

**WITH
WRIT PETITION NO. 9779 OF 2022**

**RANJANA SANJAY UJALAMBE AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS**

**WITH
WRIT PETITION NO. 9805 OF 2022**

**CHAYA PANDURANG BIRAJDAR AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS**

**WITH
WRIT PETITION NO. 9800 OF 2022**

**ANURADHA SHIVAJI CHAVAN AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS**

**WITH
WRIT PETITION NO. 9856 OF 2022**

**GAJANAN OMPRAKASH MAHAJAN AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS**

WITH
WRIT PETITION NO. 9842 OF 2022
ARVIND BANNARAO HINGMIRE AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

WITH
WRIT PETITION NO. 9798 OF 2022
MAHADEV GURABASAPPA MANGULE AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

WITH
WRIT PETITION NO. 9803 OF 2022
RAM DHONDIBA YADHAV
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

WITH
WRIT PETITION NO. 9849 OF 2022
ANURADHA AJAY MAINDARKAR AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

WITH
WRIT PETITION NO. 9867 OF 2022
DILIP RAMBHAU KALDATE AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

WITH
WRIT PETITION NO. 9822 OF 2022
ANIL BHIMASHANKAR UTAGE AND OTHERS
VERSUS
THE ADDITIONAL COLLECTOR AND OTHERS

....

Mr. B. K. Pawar, Advocate h/f Mr. A. B. Kale, Advocate for Petitioners
Mr. P. K. Lakhotiya, AGP for Respondent No.1
Mr. V. T. Sakolkar, Advocate for Respondent No.2 in WP/9803/2022
Ms Nikita Gore, Mr. B. M. Dhanure, Mr. S. S. Deve, Mr. R. B. Bagul,
Mr. S. W. Munde, Mr. Bhushan B. Kulkarni, Standing Counsel for
Union of India/Respondent No.3

....

**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 09.08.2023

PER COURT :-

1. We have perused the orders passed by the Hon'ble Supreme Court, dated 24.08.2022 in *Civil Appeal No.5256 of 2022 (National Highways Authority of India Vs. Sheetal Jaidev Vade and others)* and dated 01.08.2022 passed in *Special Leave to Appeal (Civil) No.12409 of 2022 (Project Director, National Highways Authority of India Vs. Saraswatibai Chandrakant Shinde and others)*.

2. As such, the view taken by the Hon'ble Supreme Court is that this Court should not exercise the jurisdiction of an executing Court and the parties should be permitted to resort to the execution proceedings as is permissible in law.

3. In view of the above, on the request of the Petitioners, **these petitions are disposed off** with liberty to the Petitioners to approach the Executing Court by preferring appropriate proceedings as are permissible in law. All contentions of the parties are kept open.

4. The learned Advocate for the Petitioners makes a request for a time bound programme for the Executing Court. The learned Advocate representing the NHAI submits that, in this very acquisition, more than 300 execution proceedings are pending. Therefore, we would expect the Executing Court to deal with these proceedings as per their dates of lodging i.e. by seniority.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS