



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

30 WRIT PETITION NO. 6006 OF 2024

SHARAD JALANDHAR RAKTATE AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

...

Advocate for the Petitioners : Mr. Devidas Rangnath Shelke

AGP for Respondents – State : Mr. B. M. Dhanure

...

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

DATE : 24.06.2024

PER COURT :

1. In the determination of compensation, the share of compensation to the extent of the Petitioners is held to be Zero. In short, the amount determined by the competent authority under sub-section (1) or sub-section (2) of Section 3(G) of the National Highways Act, is zero. The learned AGP submits that if the Petitioners are aggrieved by such determination wherein their share in the compensation amount is Nil, they will have to avail of a remedy under Section 3(G)(5) of the National Highways Act.

2. The learned Advocate for the Petitioners submits, on instructions, that in this case, the Petitioners would approach the concerned

arbitrator in the light of the statement of the learned AGP.

3. In view of the above, **this Writ Petition is disposed off.**

4. In the event, the Petitioners approach to the concerned arbitrator under Section 3(G)(5), the said arbitrator would consider the grievance on its own merits.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

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