

JPP

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

WRIT PETITION NO. 4363 OF 2024

Pravin Chamaria and Anr.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Mayur Khandeparkar with Aman Kacheria, Neel Kothari,
Mitesh Gothi, Grishma Mahatne for the Petitioners

Mr. Mahesh R. Joshi for the Respondents 4 and 5

Mr. Akshay Shinde, AGP for the Respondent Nos. 1 and 2

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 01 APRIL 2024

P.C. :-

Heard the learned Counsel for the parties.

2. Issue raised in this Petition is whether the compensation for acquisition under the National Highways Act, 1955 which is to be disbursed to a partnership firm is to be directly credited in the bank account of individual partners or it should be credited to the bank account of the firm. According to the Petitioners it should be in the account of the firm, which according to the private Respondent, it

should be for the individual partners. Such matters cannot be decided from case to case basis. The State must have a specific policy in that regard. No policy or circular is placed on record. The learned AGP seeks time to file an affidavit placing on record the guidelines/circulars, if any, issued for this contingency.

3. Stand over to **18 April 2024** under the caption “**For Directions**”.

4. As regard the disbursal of the amount is concerned, the same be deferred till 22 April 2024.

M.M. SATHAYE, J.

NITIN JAMDAR, J.