

PVR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9191 OF 2024

Ramchandra Bhimrao Parit	...Petitioner
Versus	
National Highway Authority thr. Project Officer & Ors.	...Respondents

AND

Writ Petition NO. 6260 OF 2024

Prakash Bapurao Kade	...Petitioner
Versus	
National Highway Authority thr. Project Officer & Ors.	...Respondents

Mr. M. V. Thorat, for the Petitioners.

Mr. Sagar S. Varma with Mr. Sarvesh K. Dixit with Mr. Bharat More i/b. Mr. S. S. Ladda, for Respondent No.1.

Mr. Vishwanath Ptil with Mr. Shantanu H. Katkar, for Respondent Nos.2 and 3.

Mr. Rajan S. Pawar, AGP for State-Respondent No.4.

CORAM: G. S. KULKARNI &
SOMASEKHAR SUNDARESAN, JJ.

DATED: 29 August, 2024

P.C.

1. The grievance of the petitioners is in respect of the petitioners' land Gat No.736/1/C/1/A admeasuring 0 H 37 R, and Gat No.736/2/B/10/B/3 admeasuring 0 H 4 R, being utilized for the purpose of a pipeline being laid by Solapur Municipal Corporation – respondent No.2 for supply of drinking water from the Ujani dam to the Solapur city. The petitioners have

set out in the petition that the land of the petitioner was subject matter of multiple acquisition in the year 1968, 2018 and 2023. The land in regard to which the petitioner is concerned, is the portion of the land which Solapur Municipal Corporation intends to utilize for such purpose as specifically pointed by the petitioner in a sketch as set out in paragraph 5(F) of the petition. The contention of the petitioner is that about 7 shops which are existing on the said land and which are abutting the National Highway 465 which is stated to be the jurisdiction of respondent No.4, are being affected.

2. Considering the nature of the grievance as also the prior history of acquisition in respect of the petitioner's land, we direct respondent No.4 to file a reply affidavit setting out whether the such land of the petitioner on which the pipeline is being laid, was subject matter of prior acquisition for the the purposes of National Highway 465, or for a composite purpose of the National Highway and for the water pipeline, and whether there was any award in respect of the said portion of the land of the description as set out in paragraph 5(A), as also a report, if any, in regard to the measurement of the land, if undertaken, be placed on record.

3. As the petitioner has set out that the land was subject matter of acquisition in the year 1968, 2018 and 2023, let the awards in respect of

these acquisition as also the amount of compensation as received by the petitioner qua such awards, be set out in the additional affidavit to be filed.

4. Accordingly, stand over to **5 September 2024. High on Board.** To be shown on the '**Supplementary Board**'.

(SOMASEKHAR SUNDARESAN, J.)

(G. S. KULKARNI, J.)