



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 12512 OF 2019

TRIMBAK AADHAR BHAMRE AND ANOTHER

VERSUS

THE UNION OF INDIA AND OTHERS

WITH

WRIT PETITION NO. 13206 OF 2021

MOHAN ADHAR MALI SURYAWANSHI AND OTHERS

VERSUS

THE UNION OF INDIA THR THE DEPUTY SECRETARY AND
OTHERS

WITH

WRIT PETITION NO. 13208 OF 2021

SURESH BHAVARLAL SONI AND OTHERS

VERSUS

THE UNION OF INDIA THR DEPUTY SECRETARY AND OTHERS

WITH

WRIT PETITION NO. 13209 OF 2021

RAVINDRA RAMCHANDRA PATIL AND ANOTHER

VERSUS

THE UNION OF INDIA THR THE DEPUTY SECRETARY AND
OTHERS

WITH

WRIT PETITION NO. 12092 OF 2021

BHAGWAN MARUTI AMPALKAR

VERSUS

THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12104 OF 2021
RAGHUNATH LAXMAN DESHMUKH THOROUGH LRS SURESH
RAGHUNATH DESHMUKH AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13237 OF 2021
BHAGWAN MARUTI AMPALKAR
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 11941 OF 2021
SUBHASH VIRCHAND SHAH
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12454 OF 2021
YUVRAJ AVACHIT MALI THROUGH LRS SHOBHABAI YUVRAJ MALI
AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13235 OF 2021
PREMA JOLU VASAVE AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13238 OF 2021
DEV DAN LAKDYA GAVIT (DIED) HIS LEGAL HAIR
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13232 OF 2021

SHARDABAI SURESH PATIL
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13236 OF 2021

JYOTI SATISH SHIRODE
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13239 OF 2021

RUBJI HINDADA GAVIT
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13219 OF 2021
MOHAMMAD FAJALE HUSEN AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13216 OF 2021
VASANTIBAI RAMDAS GAVIT AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13215 OF 2021
RAMESH DAYARAM PATIL
VERSUS
THE UNION OF INDIA, AND OTHERS

WITH
WRIT PETITION NO. 13234 OF 2021

RATILAL BHIKA PAWAR
VERSUS
THE UNION OF INDIA, AND OTHERS

WITH
WRIT PETITION NO. 13233 OF 2021
RAMKRUSHNA DNYANESHWAR JOSHI AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12348 OF 2021
RAMESHLAL BHISHESHWARLAL KANUGO
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13213 OF 2021
PRAVIN SOMNATH CHAUDHARI AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13214 OF 2021
BHALCHANDRA RAJARAM SURYAWANSHI AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12102 OF 2021
SUDHIR WAMAN KOTHAWADE SINCE DECEASED THR LRS NIKHIL
SUDHIR KOTHAWADE AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12322 OF 2021
RAJARAM RAGHO PATIL ALIAS SURYAWANSHI SINCE DECEASED
THR LRS BHALCHANDRA RAJARAM PATIL
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 11938 OF 2021
DEELIP MUKUNDA PATIL
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 11943 OF 2021
INDUBAI SAHEBRAO SURYAWANSHI
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 7947 OF 2020
RAJENDRA HIRAMAN MUJAGE AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12060 OF 2021
SHRIRAM BHIVSAN CHAUDHARI AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 7753 OF 2020

SHRIRAM BHIVSAN CHAUDHARI
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 11942 OF 2021

SHRIRAM BHIVSAN CHAUDHARI AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 7744 OF 2020

NITIN VITTHAL CHAUDHARY
VERSUS
THE UNION OF INDIA THROUGH DEPUTY SECRETARY AND
OTHERS

WITH
WRIT PETITION NO. 12093 OF 2021

REKHA KISHOR BARI
VERSUS
THE UNION OF INDIA THROUGH DEPUTY SECRETARY AND
OTHERS

WITH
WRIT PETITION NO. 12309 OF 2021

RAJARAM RAGHO PATIL ALIAS SURYAWANSHI SINCE DECEASED
THR LRS
VERSUS
THE UNION OF INDIA AND OTHES

WITH
WRIT PETITION NO. 13223 OF 2021
MOHANBHAI TEJABHAI PATEL AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13224 OF 2021
YATISH SUNIL CHAUDHARI AND OTHERS ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13212 OF 2021
MANSARAM GULABCHAND LOHAR
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13228 OF 2021
SHAIKH ABDUL HAJI ABDUL REHMAN AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12294 OF 2021
MOHAN KANJI PATEL AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13220 OF 2021
SURESH PITAMBAR BAVISKAR SINCE DECEASED THR HIS LRS
SHASHIKLA SURESH BAVISKAR
VERSUS
THE UNION OF INDIA THROUGH ITS DEPUTY SECRETARY AND
OTHERS

WITH
WRIT PETITION NO. 13222 OF 2021
RAMESH RAJARAM MORE AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 1095 OF 2021
DHARMARAJ SADASHIV TISGE
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12388 OF 2021
ANIL RAMDEV GINDODIA
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 13207 OF 2021
VIMALBAI BHATU PATIL
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12902 OF 2021
SUSHIL LALCHAND POPALI
VERSUS
THE UNION OF INDIA AND OTHERS

WITH
WRIT PETITION NO. 12910 OF 2021
SUSHIL LALCHAND POPALI
VERSUS
THE UNION OF INDIA AND OTHERS

**WITH
WRIT PETITION NO. 13210 OF 2021**

PRATAPSINGH JAGATSING RAJPUT SINCE DECESED THR HIS LRS
SMT MEENABAI PRATAPSING RAJPUT AND ANOTHER
VERSUS
THE UNION OF INDIA THR THE DEPUTY SECRETARY AND OTHERS

**WITH
WRIT PETITION NO. 13225 OF 2021**

PRATAPSINGH JAGATSING RAJPUT SINCE DECEASED THR HIS LRS
SMT MEENABAI PROTAPSING RAJPUT AND ANOTHER
VERSUS
THE UNION OF INDIA THROUGH THE DEPUTY SECRETARY AND
OTHERS

**WITH
WRIT PETITION NO. 13211 OF 2021**

TARACHAND SHIVLAL DAGA DEAD AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH DEPUTY SECRETARY AND
OTHERS

**WITH
WRIT PETITION NO. 12570 OF 2019**

MADHUKAR SITARAM PATIL AND ANOTHER
VERSUS
THE UNION OF INDIA THROUGH DEPUTY SECRETARY AND
OTHERS

**WITH
WRIT PETITION NO. 12513 OF 2019**

ASHOK ALIAS ONKAR SHAMRAO PATIL (BORSE) AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH DEPUTY SECRETARY AND
OTHERS

**WITH
WRIT PETITION NO. 12586 OF 2019**

DHANANJAY SANTOSH PATIL AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

**WITH
WRIT PETITION NO. 12554 OF 2019**

KHANDU DHARMA PATIL THROUGH LRS RAJESH KHANDERAO
BORSE AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

**AND
984 WRIT PETITION NO. 12597 OF 2023**

BHALCHANDRA BALIRAM DAHITE
VERSUS
THE GOVERNMENT OF INDIA AND OTHERS

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Mr. Rahul A. Tambe, Mr. Vikrant P Raje a/w Mr. Mukul Kulkarni, Ms Sakshi A. Kale, Ms Yugandhara Abhijit Namde, Mr. Mohit Shah Mr. P. S. Shendurnikar, Advocates for the Petitioners in respective Petitions

Mr. D. S. Manorkar, Mr. Ajay G. Talhar, Ms Sudha Chintamani, Mr. R. B. Bhosale, Mr. Bhushan B. Kulkarni, Ms Sudha Kulthe, Mr. D. S. Nagode, Mr. S. W. Munde Mr. Sagar Varma a/w Mr. Sagar Ladda, Mr. A. N. Patale, Mr. S. S. Deve, Mr. R. R. Bangar, Advocates for the respective Respondents in respective Petitions
Mr. R. K. Ingole, AGP for the Respondents – State

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

DATE : 26.06.2025

FINAL ORDER (Per:- Ravindra V. Ghuge, J.) :-

1. In matters wherein the learned Advocate Shri Abhijit Namde, unfortunately passed away, we permit the learned Advocate Ms Yugandhara Abhijit Namde, to file Vakalatnama on behalf of the Petitioners, within four weeks.

2. We have considered the submissions of the learned Advocates for the Petitioners and the learned Advocate Shri Sagar Varma and Shri Manorkar, on behalf of the NHAI. The learned DSGI appears for the Union of India and the Competent Authority.

3. It is undisputed that these Petitioners base their prayers on the judgment delivered by the Hon'ble Supreme Court in ***Union of India and Another Vs. Tarsem Singh and Others, (2019) 9 SCC 304.*** Pursuant to the said judgment, there has been a clarificatory order dated 30.07.2021, passed ***in Miscellaneous Application Diary No.2572 of 2020 in Civil Appeal No.7086 of 2019 (National Highway Authority of India & Anr. Vs. Tehal Singh & Ors.).***

4. The Union of India and NHAI had preferred several Review Petitions before the Hon'ble Supreme Court bearing

Miscellaneous Application No.1773 of 2021 in Civil Appeal No.7064 of 2019 (Union of India and another Vs. Tarsem Singh and others).

By a judgment dated 04.02.2025, all the Review Petitions were dismissed by specifically observing that there is no merit in the contentions raised by the Applicant, NHAI. The principles established in ***Tarsem Singh*** (supra) were re-affirmed regarding the beneficial nature of granting solatium and interest, while emphasizing the need to avoid creating unjust classifications without intelligible differentiation. While disposing off the Appeals vide order dated 04.02.2025, the Hon'ble Supreme Court directed the Competent Authority to calculate the amount of solatium and interest in accordance with the directions issued in ***Tarsem Singh*** (supra).

5. This Court, at the Principal Seat, in ***Writ Petition No.11932 of 2019 (Hiraman Namdeo Lonare and others Vs. The Union of India and Others)*** and a group of cases, vide judgment dated 08.04.2025, recorded that the parties agree that the main issue involved in the Petitions was covered by the decision in ***Tarsem Singh*** (supra).

6. In view of the application made by the NHAI in

Miscellaneous Application Diary No.2572 of 2020 in Civil Appeal No.7086 of 2019, the Hon'ble Supreme Court had passed an order on 30.07.2021, clarifying that the words “(1A) and” appearing in paragraph 41 of the judgment dated 19.09.2019, be deleted. Accordingly, the relief that was granted, was in terms of Section 23 and 28 of the Land Acquisition Act, 1894 and not under Section 23(1A).

7. In *Hiraman Namdeo Lonare (supra)*, the judgment of the Hon'ble Supreme Court dated 04.02.2025 (supra), was also cited. It was observed by this Court that the NHAI would compute and pay the Petitioners, solatium and interest in accordance with the principles laid down in the said matters, within three months of the uploading of the order dated 08.04.2025.

8. Thereafter, the judgment was delivered by the Hon'ble Supreme Court on 04.02.2025, rejecting all the Review Petitions. Neither the Petitioners, nor the NHAI, have ever challenged the Arbitral Awards before any Court.

9. With regard to the objection on the maintainability of these Petitions, an identical issue was raised before this Court at the Principal Seat in ***Writ Petition No.9608 of 2023 (Kisanlal Bairudas Jain Vs. Union of India and others) and group of cases***. By judgment dated 09.05.2025, this Court referred to the law laid down by the Hon'ble Supreme Court in ***M/s Godrej Sara Lee Ltd Vs. The Excise and Taxation Officer-cum-Assessing Authority and Ors, 2023 (384) ELT 8 (SC)*** and delivered a verdict concluding that the objection to the maintainability of the Petitions on the ground of an alternate remedy, is overruled.

10. We direct the Competent Authority to compute and pay all these Petitioners, solatium and interest in accordance with the principles enunciated in ***Tarsem Singh*** (supra), within three months from today.

11. As like the directions set out in ***Hiraman*** (supra), we record that if the payment of such compensation is delayed or is wrongly concluded on assumptions and presumptions, we would hold the Officers of the Competent Authority, responsible for the delayed

payment or insufficient payment and in which case, if the interest for delayed payment or insufficient payment is computed, in any proceeding brought to this Court or before whichever authority, such interest component or insufficient payment, will be recovered from the salaries of the Officers who are responsible for such erroneous calculations.

12. Insofar as the contention of the learned Advocate for the NHAI, that there ought not to be a double payment with reference to the loss of easementary rights at the rate of 10%, since that issue is not addressed to the Court in these Petitions by the Petitioners and since the Arbitral Award has not been challenged by the NHAI, we do not have to express any view on this aspect.

13. In view of the above, all these Writ Petitions before us are disposed off in the light of *Tarsem Singh* (supra) and the above referred orders.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]