



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 3207 OF 2025

THE PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT AND
ANOTHER

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903 WRIT PETITION NO. 3208 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT INSTITUTE
AND ANOTHER

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904 WRIT PETITION NO. 3209 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT AND
ANOTHER

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905 WRIT PETITION NO. 3210 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT AND
ANOTHER

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906 WRIT PETITION NO. 3211 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT AND
ANOTHER

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907 WRIT PETITION NO. 3212 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT INSTITUTE
WALMI AND ANOTHER

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908 WRIT PETITION NO. 3213 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT INSTITUTE
WALMI AND ANOTHER

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909 WRIT PETITION NO. 3214 OF 2025

PROJECT DIRECTOR NATIONAL HIGHWAY AUTHORITY OF INDIA
VERSUS
THE DIRECTOR GENERAL WATER AND LAND MANAGEMENT AND
ANOTHER

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Advocate for the Petitioner : Mr. N.P. Patil h/f Mr. Sakolkar Virendra T.
Advocate for Respondent No. 1 : Mr. Annasaheb L.Muley
Advocate for Respondent No. 2 : Mr. R.R. Bhosale

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CORAM : **MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.**

DATE : **07.03.2025**

PER COURT :

Heard both the sides.

2. The National Highway Authority is before us apparently being aggrieved and dissatisfied by the fact that in the proceedings, wherein it has put up a challenge to the award passed by the arbitrator under Section 3(G) of the National Highway Act, by resorting to Section 34 of the Arbitration and Conciliation Act, 1996, the Court of the learned District Judge has not been passing final order on its applications wherein it has prayed for stay to the execution.

3. The learned advocate Mr. Muley submits that he has instructions to appear on behalf of respondent no. 1-land owners and tenders across the bar an affidavit in reply.

4. The learned advocate Mr. Bhosale appears for respondent no. 2.

5. We have been addressed on several issues touching the merits of the matters including liability of the petitioners rather exemption being claimed by it from compensating respondent no.1, up to the maintainability of the proceedings before the competent authority or the executing court.
6. It appears that application preferred under Section 47 of the Code of Civil Procedure has also been rejected by the executing court.
7. A copy of the Roznama/daily status demonstrates that stay applications have been filed and the replies have also been filed. Though the learned advocate for the petitioners submits that the parties have been heard on those stay applications in all those proceedings, learned advocate for respondent no. 2 denies the fact and submits that the arguments have been heard only on the application for condonation of delay.
8. Without going into all the details and disputed issues, in our considered view, it would be appropriate that the learned Judge, before whom the proceedings under Section 34 of the Arbitration and Conciliation Act, are pending, hears both the sides, if he has not already heard them, and decides the stay applications, as expeditiously as possible, and in any case within 10 days.
9. We are informed that the matters are listed before the concerned Court today itself, that is why we are not passing any direction for the parties to remain present before that Court on some other day.
10. The writ petitions are disposed of.

(PRAFULLA S. KHUBALKAR J.)

(MANGESH S. PATIL, J.)

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