



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

932 WRIT PETITION NO. 5810 OF 2024

Sakhahari Chandrabhan Bhabad

....Petitioner

VERSUS

The State of Maharashtra
Through its Secretary and others

.....Respondents

.....
Mr. Ajankya Kale h/f Talekar and Associates, Advocate for the
Petitioner

Mr. A. A. A. Khan, AGP for Respondent Nos.1 and 2

Ms. Sudha Chintamani, Advocate for Respondent No.3

Mr. Deepak S. Manorkar, Advocate for Respondent No.4

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**CORAM : R. G. AVACHAT &
NEERAJ P. DHOTE, JJ.**

DATE : 10.07.2025

PER COURT :

. Heard.

2. The land of the Petitioner has been acquired for National Highway. The Competent Authority has passed the Award holding the Petitioner to have not been entitled to compensation.

3. The learned Advocate for the Competent Authority relied on the opinion given by the Town Planning Authority stating therein that the land meant for amenities such as sidewalks, internal roads should be handed over to the authority free of cost.

4. We fail to understand how such an opinion can be given. It is a basic tenet of law that no person shall be deprived of his property without paying him adequate compensation. The right to property has been recognized as a constitutional right, in view of Article 300-A of the Constitution of India. We, therefore, hold that the Petitioner is entitled to compensation for the land which has been acquired for widening of a National Highway.

5. It is informed that the Petitioner has approached the forum of Arbitrator, which has been provided under the National Highways Act, 1956, for the other aspects of the matter. We relegate him to the said authority, which shall decide quantum of compensation in respect of the land of the Petitioner, acquired for widening of the National Highway.

6. With this direction, the Writ Petition stands disposed of.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

Sameer/July-2025