



This order has been corrected pursuant to the speaking to the minutes of order dated 29/09/2025

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

903 WRIT PETITION NO. 8653 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
LAXMIBAI BABULAL PAWARA DIED THR LRS BAHADUR AND OTHERS

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904 WRIT PETITION NO. 8654 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
CHAMPALAL NAJLYA PAWARA AND OTHERS

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905 WRIT PETITION NO. 8655 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
VECHAN SURBHAN PAWARA AND OTHERS

...

906 WRIT PETITION NO. 8656 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
TUKARAM RAYSING PAWARA AND OTHERS

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907 WRIT PETITION NO. 8657 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
DARSING SAKHARAM BHIL AND OTHERS

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908 WRIT PETITION NO. 8658 OF 2025

NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR
VERSUS
MISTAR CHOTU PAWARA AND OTHERS

909 WRIT PETITION NO. 8659 OF 2025

**NATIONAL HIGHWAYS AUTHORITY OF INDIA THR ITS PROJECT
DIRECTOR**

VERSUS

TUKARAM KANA PAWARA DIED THR LRS SUMANBAI AND OTHERS

Mr. Deepak S. Manorkar, Advocate for the Petitioner

Mr. V. M. Chate, AGP for the Respondent/State in all Writ Petitions

Mr. R. B. Bagul, Advocate for Respondent No. 2 in WP Nos. 8655/2025
and 8656 of 2025

Mr. Rohit Sarvadnya, Advocate for Respondent UOI in WP Nos.
8653/2025 and 8654/2025

Mr. P. H. Patil a/w Mr. R. M. Patil, Advocate for Respondents/original
Claimants in all Writ Petitions.

Mr. S. W. Munde, Advocate for Respondent UIO in Writ Petition Nos.
8657/2025 and 8659/2025.

CORAM : R. M. JOSHI, J.

DATE : 24th SEPTEMBER, 2025

P.C. :-

1. These Petitions take exception to the order passed by Execution Court holding that the interest liable to be paid on compensation payable against acquisition of land would be from the date of notification under Section 3D of the National Highways Act, 1956. It is contended in the Petitions that Execution Court committed error in calculating the amount due and payable to the contesting Respondents.

2. On last date, during the course of hearing it is brought to the notice of this Court that the Co-ordinate Bench of this Court in Writ Petition No. 14922 of 2023 by order dated 06/09/2024 has decided the issue sought to be raised in these Petitions. This Court expressed its

view to be in agreement with the said view and hence there being no merit in these Petitions.

3. This Court has expressed its view and disinclination to cause interference in the impugned order. It was also expressed then that it was not fair on the part of National Highway to challenge the order passed by the Trial Court granting interest from the date of notification, when there is already determination of the issue by this Court. Admittedly, the said order holds field even as of today. In spite of such position, petitions are filed and therefore, this Court finds substance in the contention of the learned Counsel for the Respondents that this is nothing but the harassment caused to the citizen, at the cost of public money.

4. At this stage, learned Counsel for the Petitioner, on instructions, seeks withdrawal of the Petitions with liberty to move appropriate Application before the Executing Court pointing out the discrepancies in the calculations done by the Court.

5. There cannot be any dispute about the fact that in case the Petitioner found calculation being done by the Court to be incorrect, it was open for the Petitioner to move the same Court to get the said calculation corrected. However, filing of these petitions without raising such issue and raising issue which is already settled by this Court, is

not justified. In view of this, Respondents are unnecessarily dragged to this Court with filing of these Petitions.

6. Hence, though Petitions permitted to be withdrawn with liberty to move appropriate Application before the Execution Court for the purpose of seeking clarification in respect of the calculation and correctness thereof, Petitioner to pay token to cost of Rs.2,000/- (Rupees Two Thousand only) to the Respondent in each Petition. The cost so paid be recovered from the individuals responsible for filing these Petitions.

(R. M. JOSHI, J.)

ssp