



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

6 WRIT PETITION NO. 12102 OF 2025

Rajnikant Jayantilal Kamdar And Another

VERSUS

The Union Of India Through The Secretary And Others

...

Advocate for Petitioners : Mr. M.S. Kulkarni

AGP for Respondents: Mr. V. M. Kagne

Advocate for Respondents 1,3 : Mr. Rajendra D Sanap

Advocate for Respondents 4 : Mr. D.S. Manorkar

...

AND

7 WRIT PETITION NO. 12103 OF 2025

Rajnikant Jayntilal Kamdar

VERSUS

The Union Of India Through The Secretary And Others

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Advocate for Petitioner : Mr. M.S. Kulkarni

AGP for Respondents: Mr. V.M. Kagne

Advocate for Respondents no.1,3 : Mr. U.B. Bondar

Advocate for Respondents 4 : Mr. D.S. Manorkar

...

AND

903 WRIT PETITION NO. 12098 OF 2025

AND

904 WRIT PETITION NO. 12107 OF 2025

Rajnikant Jayantilal Kamdar And Another

VERSUS

The Union Of India Through The Secretary And Others

Rajnikant Jayantilal Kamdar

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The Union Of India Through The Secretary And Others

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Advocate for Petitioner : Mr. M.S. Kulkarni

AGP for Respondents: Mr. V. M. Kagne

Advocate for Respondents no.1,3 : Mr. U.B. Bondar

Advocate for Respondents 4 : Mr. D.S. Manorkar

(In both petitions)

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**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

Dated : December 15, 2025

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ORDER (Per Smt. Vibha Kankanwadi, J.) :-

1. All the petitions raise similar issues.
2. We have heard learned Advocates representing all the parties.
3. Learned Advocates for the petitioners have pointed out that earlier in group of matters i.e. **Writ Petition No.240 of 2023 with companion matters (Rajendra Namdev Patil and others vs. The Competent Authority Land Acquisition)**, this Court had passed an order on 17.07.2025. Thereafter, again in **Writ Petition No.7866 of 2021 with companion matters (Shilpa Rajendra Shinve Vs. The National Highway Authority of India, Through its Project Director and another)**, order came to be passed on 08.08.2025, wherein order in **Rajendra Namdev Patil and others (Supra)** was reproduced. Even it was expressed by the Coordinate Bench of this Court that in view of the order passed in **Writ Petition No.12512 of 2019 (Trimbak Aadhar Bhamre and Anr. Vs. The Union of India and others with connected writ petitions)**, the same relief deserves to be

granted, however, it appears that from the respondent/NHAI, there were submissions. This Court then based on **Union of India and another Vs. Tarsem Singh and others**, [(2019) 9 SCC 304], held that the petitioners would be entitled to solatium and interest on compensation amount in accordance with the principles laid down therein. When we have also expressed our view similar to the decision that has been taken by the earlier Benches, as they are in fact based on **Union of India and another Vs. Tarsem Singh and others** (Supra), the respective Advocates representing NHAI in different matters have submitted that review petition has been filed by NHAI before the Hon'ble Supreme Court. By order dated 03.11.2025 (Review Petition (Civil) Diary No(s)44096 of 2025), the delay was condoned and notice has been issued. Important point to be noted is that the fact of review petition that has been filed was taken note of by this Court in Writ Petition No.7866 of 2021 and companion matters and it was observed that mere filing of review petition would not detain this Court from disposing of the writ petitions, in the light of the fact that petitions raising identical issues have been already disposed of earlier by this Court. We are also of the same view. However, till the review petition is decided, we are governed by the

decision in **Union of India and another Vs. Tarsem Singh and others (Supra)** and, therefore, we also dispose of all the writ petitions in the following terms :-

- (a) In the light of above, these petitions are allowed by directing the competent authorities to compute and pay to the petitioners solatium and interest in accordance with the principles enunciated in the case of **Union of India and another Vs. Tarsem Singh and others (Supra)** within a period of six (6) months from today.
- (b) It is made clear that the petitioners shall assist the competent authorities by producing all relevant documents and upon verification of the same, the competent authorities shall proceed further. It is also clarified that payments made pursuant to the directions given herein above, shall be subject to the challenges, if any, raised under Sections 34 and 37 of the Arbitration and Conciliation Act, 1996.
- (c) In the light of the observations made herein above, it is further made clear that if any of the parties are aggrieved by the quantum and computation carried out by the competent authority while carrying out the directions given herein above, the remedy of Section 3G (5) of the National Highways Act, 1956 would be available to such aggrieved party in accordance

with law. It is further made clear that the competent Authority while implementing the directions given herein above shall give reasonable hearing to all stake holders.

- (d) The decision would then be ultimately subject to the outcome of the review petition before the Hon'ble Supreme Court.

4. Pending civil applications, if any, also stand disposed of.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)
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