



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2372 OF 2025

KALABAI HILAL PATIL AND OTHERS

VERSUS

UNION OF INDIA THROUGH SECRETARY AND OTHERS

...

- Mr. M.S. Shaikh h/f. Mr. C. S. Kulkarni, Mr. P. C. Kulkarni, and Suyash Jangada for the Petitioner
- Mr. A. V. Lavte, AGP for Respondents/State
- Mr. R. B. Bhosale, Advocate for Respondent Nos. 1 and 4

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CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

DATE : 24.03.2025

PER COURT :

. Heard learned advocate for the petitioner as also the learned advocate for respondent No. 1 and 4.

2. The petitioners claim to be the owners of the property which has been acquired under the National Highways Act, 1956, and now vests with respondent No. 1 – Union of India. They are aggrieved by the fact that they are not getting any compensation in spite of their right and share in land Gut No. 34.

3. It transpires pursuant to the *affidavit*-in-reply filed by respondent No. 4, which is the competent authority that he has

submitted reference under Section 3H(4) dated 11.11.2022 addressed to the Principal District Judge, Dhule for disbursal of the amount of compensation to the extent of 4400 sq. mts. acquired from land Gut No. 34 amounting to Rs. 69,09,922/-, *inter alia* mentioning the names of the petitioners as well as of those who were objecting to disbursal of the amount.

4. Once having seen that requisite reference has also been made by respondent No. 4 - the competent authority under Section 3H(4) of the National Highways Act, it would be appropriate for these petitioners to approach the Civil Court and participate in that enquiry and solicit order on the reference as is contemplated in law.

5. Keeping open that avenue to approach the Civil Court, the writ petition is disposed of.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

jhs/