



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 WRIT PETITION NO. 5502 OF 2025

Jarmelsingh Mehasingh Kandela
VERSUS
The Union Of India Through The Deputy Secretary And Others
AND

2 WRIT PETITION NO. 5549 OF 2025

Dilbersing Mehasingh Kandela
VERSUS
The Union Of India Through The Deputy Secretary And Others
AND

3 WRIT PETITION NO. 11107 OF 2025

Kishor Thakurdas Diyalani And Another
VERSUS
The Government Of India And Others
AND

4 WRIT PETITION NO. 11168 OF 2025

Sunil Mishrilal Bafna Thr Lrs Anshul And Another
VERSUS
The Govt. Of India And Others
AND

5 WRIT PETITION NO. 11169 OF 2025

Chandramal P Galani Died Thr Lrs Narayan Chandramal Galani And Others
VERSUS
The Govt. Of India And Others
AND

6 WRIT PETITION NO. 11172 OF 2025

Vijaya Devendra Sahani
VERSUS
The Govt. Of India And Others
AND

7 WRIT PETITION NO. 11173 OF 2025

Chandramal P Galani Died Thr Lrs Narayan And Others
VERSUS
The Govt Of India And Others
AND

8 WRIT PETITION NO. 11174 OF 2025

Anjali Sanjeev Bafna Through Lrs Sanjeev Mishrilal Bafna And Others
VERSUS
The Governmetn Of India Ministry Of Shipping And Others
AND

9 WRIT PETITION NO. 12146 OF 2025

Nitin Sudhakar Bendre
VERSUS
The Union Of India Through The Deputy Secretary And Others
AND

10 WRIT PETITION NO. 12991 OF 2025

Asha Subhash Korale And Others
VERSUS
The State Of Maharashtra Through Collector And Others
WITH

WRIT PETITION NO. 12113 OF 2025

WITH

WRIT PETITION NO. 12993 OF 2025

WITH

WRIT PETITION NO. 12992 OF 2025

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Advocate for the petitioners in respective petitions :- Mr. A. D. Sonar, Ms. Sakshi Kale with Mr. Aadesh Vaidya, Mr. S. N. Patil.

GP/ Addl. GP/AGPs for respondents/State in respective petitions :- Mr. A. B. Girase, Government Pleader, Mr. S. K. Tambe, Mr. A. M. Phule, Mr. S. B. Pulkundwar, Mr. S. B. Narwade, Mr. V. M. Kagne and Mr. R. S. Wani

Senior Panel Advocate/Central Government Counsel for respondents/Union of India in respective petitions :- Mr. Rahul Bagul, Mr. S. W. Munde, Mr. N. T. Bhagat, Mr. R. D. Sanap, Mr. Nitin Salunke, Mr. A. R. Borulkar, Mr. R. R. Bangar,

Advocate for the respondent/NHAI in all the petitions :- Mr. Deepak S. Manorkar.

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

DATE : 18 DECEMBER 2025

ORDER :

- . Not on board. Upon mentioning, these matters are taken on board.
2. All the petitions raise similar issues.
3. We have heard learned Advocates representing all the parties.
4. 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 learned Advocate representing NHAI in all the 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.

5. Pending applications, if any, also stand disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm