

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9527 OF 2021

Prabhakar S/o Baburao Adsul & Anr.Petitioners

Vs.

The Competent Authority Cum
Deputy Collector & Ors.Respondents

Mr. Rajiv Chavan a/w Ms. Sonam Pandey, Ms. Shweta Pandey i/b
Milind Deshpande, for the Petitioners.

Mr. A. I. Patel, Additional Government Pleader with Smt. M. S. Bane,
AGP for the Respondent-State.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 3rd JULY 2025.

P.C.:-

1. The Petitioner essentially seeks directions to the Respondent No. 1 to make a reference under Section 3 (H) 4 of the National Highways Act to the Principal Civil Court of original jurisdiction in respect of the compensation paid to the Respondent Nos. 2 to 6 pertaining to an area admeasuring approximately 4948 sq.mts. of area, from Gat No. 149, lying, being and situate at village Balupatalachi Wadi, Taluka-Khandala, District-Satara in respect of objection dated 3rd February 2020 raised by the Petitioner Nos. 1 & 2.

The Petitioner also seeks a direction to the Respondent Nos.1 & 7 to forthwith take steps to recover the amount of compensation paid to the Respondent Nos.2 to 6 in view of the aforesaid land.

2. Mr. A. I. Patel, learned Additional GP representing the State has placed on record a letter dated 2nd July 2025 issued by the Competent Authority cum Deputy Collector of Land Acquisition confirming that the proceedings are being referred to the Principal Civil Court of original jurisdiction in respect of the aforesaid property within a period of 15 days.

3. In view of the averments of the letter dated 2nd July 2025, the Respondent No.1 is directed to refer the said proceeding to the Principal Civil Court of original jurisdiction to determine the dispute arising between the parties. The dispute pertaining to apportionment of the amount of compensation paid/recovery of amounts paid to the Respondent Nos.2 to 6, if any is to be made from them, shall also be decided by the Civil Court to which the reference is made. The said Civil Court shall be at liberty to pass necessary orders as it deems fit, in accordance with law.

4. The Petition is accordingly disposed off in the aforesaid terms.

5. It is made clear that we have not gone into the merits of the matter and as such all contentions of all the parties on merits open.

6. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)