

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION APPEAL (ST.) NO. 22121 OF 2023

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SUMANBAI SHANTARAM BACHAV

....Appellant

Versus

ARBITRATOR AND ADDITIONAL
COMMISSIONER NATIONAL HIGHWAY
AUTHORITY OF INDIA AND ORS.

....Respondents

WITH
ARBITRATION APPEAL (ST.) NO. 22126 OF 2023
WITH
ARBITRATION APPEAL (ST.) NO. 22128 OF 2023
WITH
ARBITRATION APPEAL NO. 7 OF 2024
WITH
ARBITRATION APPEAL NO. 8 OF 2024
WITH
ARBITRATION APPEAL NO. 10 OF 2024
WITH
ARBITRATION APPEAL NO. 11 OF 2024
WITH
ARBITRATION APPEAL NO. 12 OF 2024
WITH
ARBITRATION APPEAL NO. 13 OF 2024
WITH
ARBITRATION APPEAL NO. 15 OF 2024
WITH
ARBITRATION APPEAL NO. 16 OF 2024
WITH
ARBITRATION APPEAL NO. 17 OF 2024
WITH
ARBITRATION APPEAL NO. 18 OF 2024
WITH
ARBITRATION APPEAL NO. 19 OF 2024
WITH

ARBITRATION APPEAL NO. 20 OF 2024
WITH
ARBITRATION APPEAL NO. 22 OF 2024
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ARBITRATION APPEAL NO. 23 OF 2024
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ARBITRATION APPEAL NO. 24 OF 2024
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ARBITRATION APPEAL NO. 29 OF 2024
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ARBITRATION APPEAL NO. 30 OF 2024
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ARBITRATION APPEAL NO. 31 OF 2024
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ARBITRATION APPEAL NO. 32 OF 2024
WITH
ARBITRATION APPEAL NO. 33 OF 2024
WITH
ARBITRATION APPEAL NO. 34 OF 2024
WITH
ARBITRATION APPEAL NO. 35 OF 2024
WITH
ARBITRATION APPEAL NO. 21 OF 2024

Mr. Vivek Punjabi, for Appellant.

Ms. Shilpa G. Talhar, AGP for Respondent-State.

Mr. Anuj Tiwari h/f. Vivek Salunke, for Respondent No. 2 in Appeal Nos. 8, 10, 16, 20, 24, 26, 30, 35 of 2024

Mr. Sagar Varma (through VC) i/b Sagar Ladda, for -NHAI in Appeal

Nos. 18, 19, 21, 23, 27, 29 and 33 of 2024.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 24, 2025

P. C.

1. All these Appeals are tagged, to be heard together. To enable the Respondents to file reply affidavit, which should be filed no later than February 21, 2025, and rejoinder, if any, which shall be filed no later than February 28, 2025, stand over to March 13, 2025.

2. It is made clear that these Appeals, which arise from the same acquisition for the same highway project, would be comprehensively and collectively heard since the issues are the same across the 30 Appeals in question. If any of the Respondent is desirous of filing a reply, shall ensure that the same shall be one comprehensive reply with any variation to be made across the 30 Appeals, being made with subheadings to deal with the peculiar facts of such Appeals that necessitate a different contention to be raised in such reply filed. It is made clear that the rejoinder also shall be a comprehensive single rejoinder, and not in the form of 30 rejoinders.

3. Having had an overview of the matter, it would be appropriate to allocate a period not exceeding **90 minutes** for Counsel for the Appellants to present their case. The Counsel representing NHAH shall collectively have another period of **90 minutes**, how to allocate time among them across Appeals, and to make submissions for them to co-ordinate and address the Court in a co-ordinated manner, within the overall time frame of **90 minutes** given for them. With the aforesaid directions, list under the caption, “***For Final Hearing - Section 37***” on ***March 13, 2025***.

4. Learned Counsel for the parties shall also file a crisp Note on Submissions on the specific issues involved bearing in mind the contours of the jurisdiction in which these proceedings have been conducted, preferably not exceeding seven pages each, deplete with page and case law references, so that the Court is assisted in a final disposal of the Appeals.

5. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]