

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 19193 OF 2024

Haribhau Bhikaji Wadekar & Anr.

...Petitioners

Vs

National Highway Authority of India & Anr.

...Respondents

Mr. Namitkumar S. Pansare i/b. Drupad S. Patil, for Petitioners.

Mr. Sugav Varma i/b. Mr. Sagar Ladda, for Respondent No.1/NHAL

Ms. Savita A. Prabhune, AGP for the State-Respondent No.2.

CORAM: **G. S. KULKARNI &
AARTI A. SATHE, JJ.**

DATE: **9 SEPTEMBER 2025.**

P.C.

1. This petition under Article 226 of the Constitution of India is filed praying for the following substantive reliefs:

- a. Rule be issued, record and proceedings be called for and after examining the legality and validity of Award dated 03/10/2017 and 02/06/2022, this Hon'ble Court be pleased to issue writ of certiorari or any other writ in the nature of certiorari thereby quashing and setting aside said Awards to the extent of Gat No.929 admeasuring 75 R situated at Village Shirol, Taluka Khed, District Pune;
- b. IN THE ALTERNATIVE, this Hon'ble Court be pleased to issue a writ of mandamus or any other Writ in the nature of mandamus thereby directing Deputy Superintendent of Land Records, Khed-Rajgurunagar, Khed to conduct fresh measurement of Gat No.929 so as to demarcate boundaries of acquired land under Awards dated 03/10/2017 and 02/06/2022 being Exhibit F and P to this Petition respectively;
- c. This Hon'ble Court be pleased to declare that Respondents do not have any right to dispossess the Petitioners from land admeasuring 0 H 20.52 R bearing Gat No.929 situated at village Shirol, Taluka Khed, District Pune;"

2. At the outset, referring to the reply affidavit as filed by the National Highways Authority of India (NHAI), learned Counsel for the NHAI submits

that 54 ares land belonging to the petitioner which is subject matter of acquisition, is the only land of which the possession from the petitioner's land would be taken over. The petitioner certainly would not be concerned with any other land being taken over. Insofar as the petitioner's land is concerned, only 54 ares would be taken over by the NHAI.

3. Accepting the statement of NHAI, in our opinion, further adjudication of the petition is not called for. Writ petition is accordingly disposed of in terms of the statement as made on behalf of the respondent – NHAI. We also clarify that we have not delved on any other contentions except as urged above.

4. Needless to observe that the measurement be accordingly carried out and thereafter the possession be taken over.

5. Disposed of. No costs.

(AARTI A. SATHE, J.)

(G. S. KULKARNI, J.)