

vai

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

WRIT PETITION NO.9570 OF 2025

Shri Ramdhan Shelke ...Petitioner
Vs.
The State of Maharashtra & Ors.Respondents

Digitally signed
by VASANT
ANANDRAO
IDHOL
Date: 2025.09.11
16:17:38 +0530

AND
WRIT PETITION NO.9571 OF 2025

Shri Bapu Pandharinath Gunjal ...Petitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9572 OF 2025

Shri Somnath Trimbak Aher
Deceased through legal heirs ...Petitioners.
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9573 OF 2025

Shri Prakash Waman WatpadePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9575 OF 2025

Shri Madhav J. Bhoi
Deceased through legal heirs ...Petitioners

Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9576 OF 2025

Sou. Mamatabai ShelkePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9578 OF 2025

Shri Suresh PatharePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9581 OF 2025

Shri Ramnath Shelke ...Petitioner
Vs.
The State of Maharashtra & Ors.Respondents

WRIT PETITION NO.9583 OF 2025

Shri Karbhari Kandekar ...Petitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.9585 OF 2025

Shri Arjun Makani ...Petitioner
Vs.

The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.9588 OF 2025**

Prakash Dagdu WatpadePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.9640 OF 2025**

Shri Ashok Madhavrao SathePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.10127 OF 2025**

Maruti M. FadPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.10132 OF 2025**

Madhav AvhadPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.11511 OF 2025**

Mohansingh B. PanditPetitioner
Vs.

The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.11512 OF 2025

Dagu L. MorePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.11513 OF 2025

Radhakisan K. SanapPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.11515 OF 2025

Karbhari KandekarPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.11516 OF 2025

Maruti FadPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND
WRIT PETITION NO.11517 OF 2025

Nivrutti KedarPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

AND

WRIT PETITION NO.11519 OF 2025

Surekha N. KedarPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.11521 OF 2025**

Manohar M. KutePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.11522 OF 2025**

Manohar K. ShelkePetitioner
Vs.
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO.11523 OF 2025**

Arjun MakaniPetitioner
Vs.
The State of Maharashtra & Ors.Respondents

Mr. Sachin Gite, for the Petitioners in all the Petitions.

Mr.Rakesh Singh with Ms.Heena Shaikh i/b M.V. Kini & Co. for Respondents Nos.2 to 4 – NHAI in all the WPs.

Ms.PM Joshi Deshpande, AGP for the Respondent – State in WP 9570 of 2025.

Mr.M.M. Pable, AGP for the Respondent – State in WP 9571 of 2025, 9578 of 2025 & 9572 of 2025 & 11517 of 2025 and 11523 of 2025.

Mr.B.V. Samant, Addl.GP for the Respondent – State in WP 9573 of 2025 & 11522 of 2025.

Mrs.T.N. Bhatia, AGP for the Respondent – State in WP 9575 of 2025 & 11513 of 2025.

Ms.Leena Patil, AGP for the Respondent – State in WP 9576 of 2025.

Mr.S.P. Kamble, AGP for the Respondent – State in WP 9581 of 2025.

Mr.Ketan Joshi, AGP “B” Panel counsel for the Respondent – State in WP 9583 of 2025.

Mr.K.S. Thorat, AGP “B” Panel counsel for the Respondent – State in WP 9585 of 2025, 11515 of 2025, 11519 of 2025.

Mr.R.S. Pawar, AGP for the Respondent – State in WP 9588 of 2025 & 9640 of 2025 and 10132 of 2025.

Ms.M.S. Bane, AGP for the Respondent – State in WP 10127 of 2025, 11511 of 2025 & 11512 of 2025.

Ms.Pooja Patil, AGP for the Respondent – State in WP 11516 of 2025.

Mr.A.I. Patel, Addl.G.P. for the Respondent – State in WP 11521 of 2025.

**CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 4TH SEPTEMBER, 2025.**

P.C. :-

1. Since the issue involved in the aforesaid Petitions is identical and which fact is not disputed by the learned counsel for the

Respondents, all the aforesaid Petitions are being disposed of by a common order.

2. By these Petitions, the Petitioners seek payment of 30% solatium, 12% of the component and requisite amount of interest in addition to the market value of the land as provided for under the Land Acquisition Act / Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Reliance is placed by both, the learned counsel for the Petitioners and learned counsel for the Respondents on the decision of the Apex Court in the case of Union of India vs. Tarsem, Singh & Ors. reported in (2019) 9 SCC 304.

4. Learned counsel for the Respondents does not dispute that the decision in Tarsem Singh (supra) applies to all the Petitioners in the aforesaid Petitions. He further states that the National Highway Authority of India (NHAI) has filed a Review Petition seeking review of Tarsem's decision and that the said Review Petition is pending before the Supreme Court.

5. Considering the aforesaid, since the Petitioners are squarely covered by the judgment of the Apex Court in Tarsem Singh (supra),

we direct the Petitioners to furnish the copy of the award to NHAI within a period of one week from the date of uploading of this order to facilitate the NHAI to compute the solatium and interest in accordance with law.

6. We further direct that the NHAI shall thereafter, compute solatium and interest, in accordance with the principle of law as laid down in the case of Tarsem Singh (supra) within three months from the date on which the Petitioners furnish a copy of the award to the NHAI.

7. The computed amount shall thereafter be deposited by the NHAI with the Collector of the concerned Districts, within one week i.e. after computing the solatium and interest.

8. Since the NHAI has filed a Review Petition seeking review of Tarsem Singh's (supra) decision before the Supreme Court and the same is pending, we direct the Collector not to disburse the said amount to the respective Petitioners.

9. Needless to state, that the disbursement will be subject to the out come of the Review Petition. Learned AGPs appearing for the Collector submit that in the event the Review Petition filed by the the

NHAI is dismissed, the concerned Collector will forthwith start disbursing the said amount to the Petitioners. Statement made by the respective AGPs is accepted.

10. The aforesaid Petitions stand disposed of on the aforesaid terms.

11. List the aforesaid Petition for reporting compliance of the order on 17th December, 2025.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)