

Prajakta Vartak

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13634 OF 2025

Annapurna Prakash Buva ...Petitioner
Versus
The Competent Authority
The Special Land Acquisition Officer & Ors. ...Respondents

**WITH
WRIT PETITION NO.4470 OF 2025**

Kaliya Exports Through Porp
Tribhuvandas Kanhaiyalal Kaliya ...Petitioners
Versus
Union of India Through its
Deputy Secretary & Ors. ...Respondents

**WITH
WRIT PETITION NO.4466 OF 2025**

Sanjay Keshav Deore ...Petitioner
Versus
Union of India Through its
Deputy Secretary and Ors. ...Respondents

**WITH
WRIT PETITION NO.15525 OF 2024**

Bajirao Raghunath Gaikwad ...Petitioner
Versus
Union of India Through its
Deputy Secretary and Ors. ...Respondents

**WITH
WRIT PETITION NO.13636 OF 2025**

Chandrakant Mulchand Patel ...Petitioner
Versus
The Competent Authority
The Special Land Acquisition Officer and Ors. ...Respondents

**WITH
WRIT PETITION NO.13640 OF 2025**

Chandrakant Mulchand Patel ...Petitioner

Versus
The Competent Authority
The Special Land Acquisition Officer and Ors. ...Respondents

**WITH
WRIT PETITION NO.14035 OF 2025**

Chandrakant Mulchand Patel ...Petitioner
Versus
The Competent Authority
The Special Land Acquisition Officer
Duskal No.2 & Ors. ...Respondents

**WITH
WRIT PETITION (ST) NO.33420 OF 2025**

Shivaji Balaji Watpade ...Petitioner
Versus
The Competent Authority NHS of India & Anr. ...Respondents

**WITH
WRIT PETITION NO. 13574 OF 2025**

Murlidhar Hari Pawar and Anr. ...Petitioners
Versus
The Union of India through
The Deputy Secretary and Ors. ...Respondents

**WITH
WRIT PETITION NO. 13579 OF 2025**

Deu Bhavdya Kamadi (deceased)
through legal heirs ...Petitioners
Versus
The State of Maharashtra through G.P. and Ors. ...Respondents

**WITH
WRIT PETITION NO.13580 OF 2025**

Shidya Hari Mange ...Petitioners
Versus
The State of Maharashtra thro. Govt. ...Respondents

**WITH
WRIT PETITION NO. 13581 OF 2025**

Kamlu Goma Mange ...Petitioner
Versus
The State of Maharashtra thro. G.P. and Ors. ...Respondents

WITH
WRIT PETITION NO. 13584 OF 2025

Namdev Malu Bhagat ...Petitioner
Versus
The State of Maharashtra thro. G.P. and Ors. ...Respondents

WITH
WRIT PETITION NO. 13587 OF 2025

Shivram Mangya Mange ...Petitioner
Versus
The State of Maharashtra thro. G.P. and Ors. ...Respondents

WITH
WRIT PETITION NO. 13631 OF 2025

Shidya Hari Mange ...Petitioner
Versus
The State of Maharashtra thro. G.P. and Ors. ...Respondents

WITH
WRIT PETITION NO. 13633 OF 2025

Kamlu Goma Mange ...Petitioner
Versus
The State of Maharashtra thro. G.P. and Ors. ...Respondents

WITH
WRIT PETITION NO. 13635 OF 2025

Shamkant Keshav Kotkar ...Petitioner
Versus
The Competent Authority
Deputy Collector and Anr. ...Respondents

WITH
WRIT PETITION NO. 13150 OF 2025

Devram Budha Mange
Deceased thro. His Legal Heir ...Petitioners
Versus

The State of Maharashtra thro.
Govt. Pleader

...Respondents

**WITH
WRIT PETITION NO. 13998 OF 2025**

Shivram Pujan Bhasme (Decd)
Thro. Legal Heirs Bhau Budha Bhasme
Versus
The State of Maharashtra and Ors.

...Petitioners

...Respondents

**WITH
WRIT PETITION NO. 13155 OF 2025**

Valu Hema Mengal Deceased
Thro. His Legal Heir
Versus
The State of Maharashtra thro. G.P. and Ors.

...Petitioners

...Respondents

**WITH
WRIT PETITION NO. 14137 OF 2025**

Somibai Ambo Mange Deceased
thr. Legal Heir Yashoda Raju Kamali
Versus
The State of Maharashtra thro. G.P. and Ors.

...Petitioner

...Respondents

**WITH
WRIT PETITION NO. 14651 OF 2025**

Kanu Malya Mange (Deceased) thr.
Legal Heir Pandurang Kanu Mange
Versus
The State of Maharashtra

...Petitioners

...Respondents

**WITH
WRIT PETITION NO. 14605 OF 2025**

Kanu Malya Mange (Deceased) thr.
Legal Heir Pandurang Kanu Mange
Versus
The State of Maharashtra

...Petitioners

...Respondents

**WITH
WRIT PETITION NO. 14016 OF 2025**

Valu Hema Mengal (Deceased) thr.
Legal Heir Dadu Valu Mengal ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO. 13154 OF 2025

Valu Malu Shid ...Petitioner
Versus
The State of Maharashtra thro.
Govt. Pleader ...Respondents

WITH
WRIT PETITION NO. 14250 OF 2025

Nagnath Rama Thakare ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO. 14023 OF 2025

Sitabai Patu Dhobi ...Petitioners
Versus
The State of Maharashtra thro.
GP and Ors. ...Respondents

WITH
WRIT PETITION NO. 15088 OF 2025

Sonu Palo Zugre ...Petitioner
Versus
The State of Maharashtra thro.
GP and Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 31777 OF 2025

Sonu Palo Zugre ...Petitioner
Versus
The State of Maharashtra and Ors. ...Respondents

WITH
WRIT PETITION NO. 14481 OF 2025

Devram Palo Mange Deceased
thro. Legal LRS

...Petitioners

Versus

The State of Maharashtra thro.
GP and Ors.

...Respondents

**WITH
WRIT PETITION (L) NO. 31781 OF 2025**

Devram Palo Mange (Decd) thr.
His Legal Lakshman Devram
Mange and Ors.

...Petitioners

Versus

The State of Maharashtra thro.
GP and Ors.

...Respondents

**WITH
WRIT PETITION NO. 14655 OF 2025**

Devram Palo Mange (Decd) thr.
Legal Heirs Lakshman Devram Mange

...Petitioners

Versus

The State of Maharashtra and Ors.

...Respondents

**WITH
WRIT PETITION NO. 14622 OF 2025**

Devkibai Bango Mange

...Petitioners

Versus

The State of Maharashtra and Ors.

...Respondents

**WITH
WRIT PETITION NO. 14880 OF 2025**

Nivrutti Laxman Mange

...Petitioners

Versus

The State of Maharashtra thro. G.P. and Ors.

...Respondents

**WITH
WRIT PETITION NO. 14290 OF 2025**

Namdev Malu Bhagat

...Petitioner

Versus

The State of Maharashtra thro. G.P. and Ors.

..Respondents

Mr. Pramod N. Joshi with Ms. Rukhmini Khairnar for the Petitioner in

WP/13634/2025, WP/4470/2025, WP/4466/2025, WP/15525/2024, WP/13636/2025, WP/13640/2025, WP/14035/2025, WP(ST)/33420/2025.

Mr. Sachin Gite for the Petitioner in WP/13579/2025, WP/13580/2025, WP/13581/2025, WP/13584/2025, WP/13587/2025, WP/13631/2025, WP/13633/2025, WP/13150/2025, WP/13998/2025, WP/13155/2025, WP/14137/2025, WP/14651/2025, WP/14605/2025, WP/14016/2025, WP/13154/2025, WP/14250/2025, WP/14023/2025, WP(ST)/31699/2025, WP(ST)/31777/2025, WP/14481/2025, WP(ST)/31781/2025, WP/14655/2025, WP/14622/2025, WP/14880/2025, WP/14290/2025.

Mr. Pratik B.Rahade for the Petitioner in WP/13574/2025, WP/13635/2025.

Mr. Yashodeep Deshmukh aw Ms. Vaidehi Pradeep for Resp No.1/ UOI in WP/13574/2025.

Mr. Rakesh L. Singh i/b M.V. Kini & Co. For the Respondent NHAI.

Ms. Shruti Vyas, Addl. G.P. in WP/14023/2025.

Ms. Shruti Vyas, Addl. GP. Aw Ms. Savita Prabhune, AGP for the State in WP/13640/2025.

Ms. Shruti Vyas, Addl.G.P. aw Ms. M.S. Bane, AGP for the State in WP/14655/2025.

Ms. Savita Prabhune, AGP for the State in WP/13579/2025, WP/13587/2025, WP/14016/2025, WP/14622/2025.

Ms. M.S. Bane, AGP for the State in WP/13634/2025, WP/14137/2025.

Ms. S.R. Crasto, AGP for the State in WP/4470/2025, WP/13998/2025, WP(ST)/31781/2025.

Mr. A.R. Deolekar, AGP for the State in WP/4466/2025, WP/13155/2025, WP/14480/2025.

Mr. R.S. Pawar, AGP for the State in WP/14651/2025, WP/14290/2025.

Ms. M.P. Thakur, AGP for the State in WP/13636/2025, WP/13150/2025, WP/14481/2025.

Ms. Pratibha N. Gavhane, AGP for the State in WP/13154/2025.

Mr. Swapnil Kamble, AGP for the State in WP/14250/2025.

Mr. Y.D. Patil, AGP for the State in WP(ST)/31699/2025.

Mr. K.S. Thorat, AGP for the State in WP(ST)/31777/2025.

Dr. Dhruvi Kapadia, AGP for the State in WP/14605/2025.

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

DATE: 06 NOVEMBER 2025.

P.C.

1. Learned counsel for the petitioner state that all petitions are identical.
2. This is a batch of petitions where similar questions of law and facts are involved. The prayers made in the petitions are also identical, which arise out of acquisition of lands belonging to the petitioners for the National Highway Project under the provisions of National Highway Act, 1956. There is no dispute in regard to the notifications pertaining to the acquisitions of the land in question, as also the acquisition culminating into a final award and possession of petitioners' lands being taken over for the purpose of national highway project.
3. The common grievance of the petitioners is in regard to non-payment of statutory benefits of solatium and interest, as would be applicable even in respect of acquisition proceedings under the National Highway Act by applying the provisions of Section 23(2), Section 23(1)(A) by providing 12% interest as well as interest as provided under Section 28 of the Land Acquisition Act, 1894. The prayers in all these petitions being similar, for convenience we refer to the prayers made in the first petition being Writ Petition No.13634 of 2025, which read thus :

“(a) Issue appropriate Writ / Order for directing the Respondents to immediately grant amount of Solatium @ 30% along with interest in addition to the amount of compensation, with regard to the land belonging to the Petitioner having an area admeasuring 550 sq. mtrs. from Survey No.88/2 situated at Village Velholi Taluka and District Nashik, in accordance with law laid down by the Hon'ble Supreme Court in **Union of India v. Tarsem Singh (2019) 9 SCC 304 case**, which is followed by the Divisional Benches of this Hon'ble High Court, (which are annexed at Exhibit-"C" Collectively).”

4. Mr. Joshi, Mr. Gite and Mr. Rahade, learned counsel for the petitioners would submit that the prayers in these petitions would stand covered by the decision of the Supreme Court in the case of **Union of India and another vs. Tarsem Singh and others**¹, in which the Supreme Court had declared that the provisions of Land Acquisition Act relating to solatium and interest contained in Sections 23(1-A) and (2) and interest payable in terms of proviso below Section 28 shall apply to acquisitions made under the National Highways Act (for short 'N.H Act').

5. Mr. Gite has also drawn our attention to a reasoned order dated 7 October, 2025 passed by this Court on a batch of Writ Petitions (Writ Petition No. 16370 of 2023-Jagannath Vishnu Pawar vs. Union of India & Ors. and companion petitions) wherein similar reliefs were prayed for and considering the decision of the Supreme Court in **Union of India and another vs. Tarsem Singh and others** (supra) as also the orders passed by the co-ordinate Bench of this Court in **M/s. Manidhari Realtors Private Limited and another Vs. Union of India and others**²; **Sulochanabai Pratap Suryawanshi and others Vs. The Union of India and others**³; **Kisanlal Bairudas Jain Vs. Union of India and others**⁴; **Hiraman Namdeo Lonare and others Vs. The Union of India and others**⁵ as also in **Harish Sonwane Vs. The Union of India and others**⁶, the Court had allowed said batch of petitions in terms of the following operative order:

1 (2019) 9 SCC 304

2 Writ Petition No. 7224 of 2022 dated 25.04.2025

3 Writ Petition No. 11702 of 2019 & group

4 Writ Petition No. 9608 of 2023 and group

5 Writ Petition No. 11932 of 2019 and group

6 Writ Petition No. 6771 of 2021 and group

ORDER

(i) The Petitioners shall furnish copy of their respective award to the Competent Authority/Special Land Acquisition Officer within a period of two weeks from the date of uploading of this order for the purpose of computation of the amount of solatium and interest as may be payable to the Petitioners in terms what has been held by the Supreme Court in Union of India and others Vs. Tarsem Singh and others (supra);

(ii) The Competent Authority no.2/Respondent no.4 shall, on receipt of award, make appropriate computation of the amounts payable to the Petitioners, and intimate the same to the Project Director, NHAI, within a period of six weeks from the date of receipt of award;

(iii) The Project Director, NHAI, shall accept such computation and deposit with the Competent Officer the amounts which become payable to each of the Petitioners on solatium and interest. Such amounts be deposited within a period of six weeks from the date of receipt of computation from the Competent Authority no.2/Respondent no.4;

(iv) The Competent Authority thereafter shall proceed to disburse the amounts to the Petitioners as would be received from the Project Director, NHAI/acquiring body;

(v) All contentions of parties are expressly kept open;

(vi) The petitions stand disposed of in above terms. No costs.

9. At this stage Mr. Singh submitted that the order ought not to be given effect to till the review petition is decided by the Supreme Court. Considering the aforesaid discussion, we do not see any reason to stay the order. The request is rejected.”

6. Our attention is also drawn to the orders passed by this Bench on two batches of petitions i.e. Writ Petition No. 7644 of 2024 along with 16 other petitions (**Chaya Dattu Gunjal vs. The Sub-Divisional Officer, Igatpuri- Trimbakeshwar, Sub-Division, Nashik & Ors. and Writ Petition No. 16370 of 2023 along with 13 other petitions (Jagannath Vishnu Pawar vs. Union of India through Deputy Secretary, Ministry of Shipping Road Transport and Highway and others).**

7. Mr. Singh, learned counsel for NHAI would not dispute the legal position as laid down by the Supreme Court in **Union of India and another vs. Tarsem**

Singh and others (supra) as also followed in several orders passed by this court as noted by us hereinabove.

8. In this view of the matter, we dispose of these petitions in terms of the similar orders as passed in Writ Petition No. 7644 of 2024 along with 16 other petitions [Chaya Dattu Gunjal vs. The Sub-Divisional Officer, Igatpuri-Trimbakeshwar, Sub-Division, Nashik & Ors.] (supra) and Writ Petition No. 16370 of 2023 along with 13 other petitions [Jagannath Vishnu Pawar vs. Union of India through Deputy Secretary, Ministry of Shipping Road Transport and Highway and others] (supra) in terms of the following order:-:

ORDER

(i) The petitioners shall furnish copy of their respective award to the Competent Authority/Special Land Acquisition Officer within a period of two weeks from the date of uploading of this order for the purpose of computation of the amount of solatium and interest as may be payable to the petitioners in terms of what has been held by the Supreme Court in **Union of India and others Vs. Tarsem Singh and others** (supra);

(ii) The Competent Authority no.2/respondent no.4 shall, on receipt of award, make appropriate computation of the amounts payable to the petitioners and intimate the same to the Project Director, NHAI, within a period of six weeks from the date of receipt of award;

(iii) The Project Director, NHAI, shall accept such computation and deposit with the Competent Officer the amounts which become payable to each of the petitioners on solatium and interest. Such amounts be deposited within a period of six weeks from the

date of receipt of computation from the Competent Authority
no.2/ respondent no.4;

(iv) The Competent Authority thereafter shall proceed to disburse
the amounts to the Petitioners as would be received from the
Project Director, NHAI/acquiring body;

(v) All contentions of parties are expressly kept open;

(vi) The petitions stand disposed of in above terms. No costs.

9. Parties to act on the authenticated copy of this order.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)