

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14309 OF 2025

Ashok Shankar Bhor & Ors. ...Petitioners
Vs
The Union of India & Ors. ...Respondents

AND
WRIT PETITION NO. 15318 OF 2025

Shailesh Bajirao Jadhav & Ors. ...Petitioners
Vs
The Competent Authority, Deputy Collector,
(Land Acquisition) & Anr. ...Respondents

AND
WRIT PETITION NO. 15340 OF 2025

Hanif Gani Jakhura & Ors. ...Petitioners
Vs
The Competent Authority (NHAI) & Anr. ...Respondents

AND
WRIT PETITION NO. 13745 OF 2025

Balasaheb Waman Pawar (decd.) through LR's. ...Petitioners
Versus
The State of Maharashtra through
Collector Nashik and Ors. ...Respondents

AND
WRIT PETITION NO. 14164 OF 2025

Bajirao Vishram Pathare & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 9579 OF 2025

Baban Murlidhar Kute ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

**AND
WRIT PETITION NO. 14154 OF 2025**

Pravin Vasant Pawar & Anr.	...Petitioners
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION NO. 13096 OF 2025**

Renubai Jaymal Pawar (decd) through LRs	...Petitioners
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION (ST.) NO. 30493 OF 2025**

Shantaram Onkar Pawar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION NO. 14146 OF 2025**

Bajirao Jibhau Pawar (decd.) through LRs	...Petitioners
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION NO. 14161 OF 2025**

Baburao Mansaram Pawar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION NO. 13747 OF 2025**

Jibhau Shripat Pawar (decd) through LRs	...Petitioners
Versus	
The State of Maharashtra & Ors.	...Respondents

**AND
WRIT PETITION NO. 14611 OF 2025**

Mohammad Juber A. Rahim	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

**WITH
WRIT PETITION NO. 14620 OF 2025**

Mohammad Juber A. Rahim ...Petitioner
Versus
The State Of Maharashtra Thr The Collector, Nashik & Ors. ...Respondents

**WITH
WRIT PETITION NO. 14384 OF 2025**

Ramkrishna Ramrao Pawar ...Petitioner
Versus
The State Of Maharashtra Thr The Collector And Ors. ...Respondents

**WITH
WRIT PETITION NO. 14757 OF 2025**

Namdeo Bhika Patil Decd. Thr His Legal Heirs ...Petitioner
Versus
State Of Maharashtra Thr The Collector And Ors. ...Respondents

**WITH
WRIT PETITION (ST) NO. 33813 OF 2025**

Keshav Sampat More ...Petitioner
Versus
The State Of Maharashtra Thr Collector Nashik And Ors. ...Respondents

**WITH
WRIT PETITION NO. 14267 OF 2025**

Bhausahab Mahadu Pawar ...Petitioner
Versus
The State Of Maharashtra Thr Collector Nashik ...Respondents

**WITH
WRIT PETITION NO. 13992 OF 2025**

Mirabai Bapu Gangurde ...Petitioner
Versus
The State Of Maharashtra Thr Collector Nashik And Ors ...Respondents

**WITH
WRIT PETITION NO. 14394 OF 2025**

Kailas Chaintaman More ...Petitioner
Versus
The State Of Maharashtra Thr Collector Nashik And Ors ...Respondents

**WITH
WRIT PETITION (ST) NO. 33833 OF 2025**

Bhikaji Bapurao Gaikwad Since Decd. Thr Legal Heir Suresh Bhikaji Gaikwad	...Petitioner
Versus	
The State of Maharashtra Thr Collector Nashik & Ors.	...Respondents

**WITH
WRIT PETITION (ST.) NO. 33835 OF 2025**

Bhikaji Bapurao Gaikwad Since Decd. Thr Legal Heir Suresh Bhikaji Gaikwad	...Petitioner
Versus	
The State of Maharashtra Thr Collector Nashik & Ors.	...Respondents

**WITH
WRIT PETITION NO. 14553 OF 2025**

Kailas Chintaman More	...Petitioner
Versus	
The State of Maharashtra Thr Collector & Ors.	...Respondents

**WITH
WRIT PETITION NO. 14369 OF 2025**

Shivman Chiman Patil Decd. Thru Lhrs Dadaji Shivman Patil	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

**WITH
WRIT PETITION (ST) NO. 34008 OF 2025**

Balasaheb Shankar Vidhate Since Decd. Thru. Legal Heir Sunil B. Vidhate	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

**WITH
WRIT PETITION (ST) NO. 34011 OF 2025**

Shankarlal Mulji Thakkar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION(ST) NO. 34012 OF 2025

Ramrao Kisan More Decd.	
Thr Lhr Harshal Ramrao Kisan More	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION (ST) NO. 34014 OF 2025

Karsandas Mulji Thakkar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION NO. 14323 OF 2025

Walubai Mahyadu Pawar	...Petitioner
Versus	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION (ST.) NO. 34149 OF 2025

Shankarlal Mulji Thakkar	...Petitioner
Versus	
The State of Maharashtra Through Collector Nashik	...Respondents

WITH
WRIT PETITION (ST.) NO. 34154 OF 2025

Jayashri Dinkar More	...Petitioner
Versus	
The State of Maharashtra	...Respondents

WITH
WRIT PETITION NO. 14599 OF 2025

Dinkar Khandrao More Decd.	
Throu. L.h Prashant Dinkar More	...Petitioner
Versus	
The State of Maharashtra Through Collector Nashik & Ors.	...Respondents

WITH
WRIT PETITION (ST) NO. 34156 OF 2025

Karsandas Mulji Thakkar	...Petitioner
Versus	
The State of Maharashtra Through Collector Nashik & Ors.	...Respondents

**WITH
WRIT PETITION (ST) NO. 35425 OF 2025**

Shrirang Shankar Avhad ...Petitioner
Versus
The State of Maharashtra Thr Government Pleader & Ors. ...Respondents

**WITH
WRIT PETITION (ST) NO. 35426 OF 2025**

Namdeo Sadashiv Nagare Decd. Thr Lrs ...Petitioner
Versus
The State of Maharashtra Thr Government Pleader & Ors. ...Respondents

**WITH
WRIT PETITION (ST) NO. 35428 OF 2025**

Nitin Maganlal Karnavat ...Petitioner
Versus
The State of Maharashtra Thr Government Pleader & Ors. ...Respondents

Mr. Pratik B. Rahade, for the Petitioner in W.P. No.14309/2025, W.P. No. 15318/2025 & W.P. No. 15340/2025.

Mr. Sachin Gite for the Petitioner in W.P. No.13745/2025, W.P. No.14164/2025, W.P. No.9579/2025, W.P. No.14154/2025, W.P. No.13096/2025, W.P. (ST) No. 30493/2025, W.P. No.14146/2025, W.P. No.14161/2025, W.P. No.13747/2025, W.P. No.14611/2025, W.P. No.14620/2025, W.P. No.14384/2025, W.P. No.14757/2025, W.P. (ST) No. 33813/2025, W.P. No.14267/2025, W.P. No. 13992/2025, W.P. No.14394/2025, W.P. (ST) No.33833/2025, W.P. (ST) No.33835/2025, W.P. No.14553/2025, W.P. No.14369/2025, W.P. (ST) No.34008/2025, W.P. (ST) No. 34011/2025, W.P. (ST) No.34012/2025, W.P. (ST) No. 34014/2025, W.P. No.14323/2025, W.P. (ST) No.34149/2025, W.P. (ST) No. 34154/2025, W.P. No.14599/2025, W.P. (ST) No.34156/2025, W.P. (ST) No. 35425/2025, W.P. (ST) No. 35426/2025, W.P. (ST) No. 35428/2025.

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

Mr. Rajan Pawar, AGP for the State in W.P. No.14309/2025 & W.P. No. 15318/2025.

Ms. M.P. Thakur, AGP for the State in W.P. No.15340/2025, W.P. (ST) No. 35428/2025.

Ms. M.S. Bane, AGP for the State in W.P. (ST) No.35426/2025.

Mr. B. V. Samant, Addl. G. P. with Ms. S.A. Prabhune, AGP for the State in W.P. No.13745/2025, W.P. No.14164/2025, W.P. No.9579/2025, W.P. No.

14154/2025, W.P. No. 13096/2025, W.P. (ST) No.30493/2025, W.P. No. 14146/2025, W.P. No. 14161/2025, W.P. No. 13747/2025, W.P. No. 14611/2025, W.P. No. 14620/2025, W.P. No.14384/2025, W.P. No.14757/2025, W.P. (ST) No. 33813/2025, W.P. No.14267/2025, W.P. No.13992/2025, W.P. No.14394/2025, W.P. (ST) No. 33833/2025, W.P. (ST) No.33835/2025, W.P. No.14553/2025, W.P. No. 14369/2025, W.P. (ST) No. 34008/2025, W.P. (ST) No. 34011/2025, W.P. (ST) No. 34012/2025, W.P. (ST) No. 34014/2025, W.P. No. 14323/2025, W.P. (ST) No. 34149/2025, W.P. (ST) No. 34154/2025, W.P. No. 14599/2025, W.P. (ST) No. 34156/2025, W.P. (ST) No.35425/2025, W.P. (ST) No.35426/2025 and W.P. (ST) No.35428/2025.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.
DATE: 13 NOVEMBER 2025.

P.C.

1. 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.

2. 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 an appropriate Writ / Order, directing that Award dated 24.12.2010 passed by the Respondent No.4, in respect of compensation of amount belonging to the Petitioners, the Petitioners be provided, in addition to the market value of the land, amount of 30% of solatium, 12% of component and requisite amount of interest, as provided under “Land Acquisition Act, 1894” and/or “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.”

3. 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**’).

4. 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;

1 (2019) 9 SCC 304

2 Writ Petition No. 7224 of 2022 dated 25.04.2025

3 Writ Petition No. 11702 of 2019 & group

Kisanlal Bairudas Jain Vs. Union of India and others⁴; Hiranman Namdeo Lonare and others Vs. The Union of India and others⁵; Harish Sonwane Vs. The Union of India and others⁶, and 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), as also a recent order dated 06 November 2025 passed by this Bench on a batch of petitions i.e. Writ Petition No. 13634 of 2025 along with 34 petitions (Annapurna Prakash Buva vs. The Competent Authority, The Special Land Acquisition Officer & Ors.), the Court had allowed said batch of petitions in terms of the following operative 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 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;

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

(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.”

5. 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.

6. 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), 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) and in Writ Petition No. 13634 of 2025 along with 34 petitions [**Annapurna Prakash Buva vs. The Competent Authority, The Special Land Acquisition Officer & Ors.**] (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.

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

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)