

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16744 OF 2025

Madhav Bandu Pawar ...Petitioner
Versus
Competent Authority National Highway Authority & Anr. ...Respondents

AND

WRIT PETITION NO. 16745 OF 2025

Kaushalyabai Tarachand Mali (Ahire) & Anr. ...Petitioners
Versus
Arbitrator And Additional Commissioner
National Highway Authority Of India & Ors. ...Respondents

AND

WRIT PETITION NO. 16746 OF 2025

Natha Shankar Patil (bachhav) Thr His LRs
Sachin Natha Bachhav & Anr. ...Petitioners
Versus
Arbitrator And Additional Commissioner
National Highway Authority Of India & Ors. ...Respondents

AND

WRIT PETITION NO. 16749 OF 2025

Daulat Kalu Pawar ...Petitioner
Versus
Competent Authority National & Anr. ...Respondents

AND

WRIT PETITION NO. 16750 OF 2025

Sanjay Namdev Pawar ...Petitioner
Versus
Arbitrator And Additional Commissioner NHAI & Ors. ...Respondents

AND

WRIT PETITION NO. 16751 OF 2025

Sanjay Motiram Bachhav Since Decd. Thr Legal Heir
Chandrakala Sanjay Bacchav ...Petitioner

Versus
Arbitrator And Additional Commissioner
National Highway Authority Of India & Ors. ...Respondents

AND
WRIT PETITION NO. 16752 OF 2025

Manik Sadam Pawar ...Petitioner
Versus
The Government Of India Thru. D. S & Ors. ...Respondents

AND
WRIT PETITION NO. 16754 OF 2025

Indumati Arjun Bachchav ...Petitioner
Versus
Arbitrator And Additional Commissioner
National Highway & Ors. ...Respondents

AND
WRIT PETITION NO. 16762 OF 2025

Bapu Vitthal Bachchav Since Decd Throu. L.h
Mangal Bapu Bachchav ...Petitioner
Versus
Arbitrator And Addl Commissioner
National Highways Authority Of India & Ors. ...Respondents

AND
(Not on board matters)
WRIT PETITION (St.) NO. 34233 OF 2025

Dhondu Sampat Jadhav ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34239 OF 2025

Shushilabai Ramrao Pawar ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34282 OF 2025

Giridhar Ramrao Pawar ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34343 OF 2025

Kacharu Trimbak Bhavnath & Anr. ...Petitioners

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34340 OF 2025

Rani Mahadu Gaikwad ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34351 OF 2025

Laxmibai Dilip Deore ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34356 OF 2025

Vijay Mansaram Pawar ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34370 OF 2025

Sharad Bhimrao Dhomse ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34368 OF 2025

Kusumbai Ramesh Deore ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34361 OF 2025

Vimalbai Barku Deore ...Petitioner

Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34383 OF 2025

Bhikchand Chirajilal Agarwal & Ors. ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34377 OF 2025

Vishwasrao Sukhdev Pawar ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34873 OF 2025

Sitabai Ambu Gangurde since deceased through
Legal heir Shivaji Kedu Gangurde ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34379 OF 2025

Shakuntalabai Laxman Pawar since deceased thr.
Lrs Vijayraj Laxman Pawar & Ors. ...Petitioners
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34381 OF 2025

Shankar Shyambhau Pawar ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34386 OF 2025

Nivrutti Shankar Ghule³ ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34382 OF 2025

Ramchandra namdev Jadhav³⁴ ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND
WRIT PETITION (St.) NO. 34389 OF 2025

Ranjana Laxman Deore ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34392 OF 2025**

Ramanlal Hiralal Taak ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34394 OF 2025**

Ashok Vitthal Mandale ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34395 OF 2025**

Madhubala Nemichand Chajed ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34398 OF 2025**

Prakash Bandu Pawar ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34401 OF 2025**

Dadasaheb Bhaurao Pawar & Ors. ...Petitioners
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34432 OF 2025**

Ramdas Shamji Pawar ...Petitioner
Versus
The Government of India & Ors. ...Respondents

**AND
WRIT PETITION (St.) NO. 34444 OF 2025**

Baban Janardan Pawar & Ors. ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34633 OF 2025

Chanda Shravan Hire ...Petitioner
Versus
Arbitrator and Additional Commissioner
NHAI, NH-3, Nashik & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34784 OF 2025

Sumanbai Shantaram Bachchav ...Petitioner
Versus
The Arbitrator and Additional Commissioner
National Highway Authority of India, NH-3 & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34791 OF 2025

Madhukar Motiram Bachhav ...Petitioner
Versus
Arbitrator and Additional Commissioner & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34607 OF 2025

Suresh Sohanraj Jain & Anr. ...Petitioner
Versus
The Government of India & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34639 OF 2025

Sanjay Laxman Pawar & Anr. ...Petitioners
Versus
The Government of India & Ors. ...Respondents

AND

WRIT PETITION (St.) NO. 34435 OF 2025

Sahadev Yashvant Gangurde ...Petitioner
Versus
The Government of India & Ors. ...Respondents

Mr. Vivek M. Punjabi aw Mr. Priyansh R. Jain i/b Parichehr Zaiwalla for the
Petitioner in WP/16744/2025, WP/16745/2025, WP/16746/2025,
WP/16749/2025, WP/16750/2025, WP/16751/2025.

Mr. Vivek M. Punjabi aw Mr. Priyansh R. Jain aw Mr. Tarak Shah for the Petitioner
in WP/16752/2025, WP/16754/2025, WP/16762/2025.

Mr.A.I. Patel, Addl. G.P. for the State in WP(ST)/34233/2025,
WP(ST)/34239/2025, WP(ST)/34282/2025, WP(ST)/34343/2025.

Mr. Kedar B. Dighe, Addl. G.P. for the State in WP(ST)/34343/2025, WP(ST)/34340/2025, WP(ST)/34351/2025.

Mr. B.V. Samant, Addl. G.P. for the State in WP(ST)/34356/2025, WP(ST)/34370/2025, WP(ST)/34361/2025.

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

Ms. M.P. Thakur, AGP for the State in WP/16744/2025, WP(ST)/34361/2025, WP(ST)/34383/2025, WP(ST)/34377/2025.

Ms. M.S. Bane, AGP for the State in WP/16745/2025, WP(ST)/34873/2025, WP(ST)/34379/2025, WP(ST)/34381/2025.

Mr. R.S. Pawar, AGP for the State in WP/16746/2025, WP(ST)/34392/2025, WP(ST)/34394/2025, WP(ST)/34395/2025.

Ms. S.A. Prabhune, AGP for the State in WP/16749/2025, WP(ST)/34398/2025, WP(ST)/34401/2025, WP(ST)/34435/2025.

Ms. P.J. Gavhane, AGP for the State in WP/16750/2025.

Mr. Y.D. Patil, AGP for the State in WP/16751/2025.

Mr. A.I. Patel, Addl. G.P. aw Ms. S.A. Prabhune, AGP for the State in WP/16752/2025.

Mr. Kedar B. Dighe, Addl. G.P. aw Ms. P.J. Gavhane, AGP for the State in WP/16754/2025.

Mr. Y.D. Patil, AGP for the State in WP/16762/2025, WP(ST)/34386/2025, WP(ST)/34382/2025, WP(ST)/34389/2025.

Ms. Pooja Joshi Deshpande, AGP for the State in WP(ST)/34435/2025, WP(ST)/34444/2025, WP(ST)/34633/2025.

Ms. Tanu Bhatia, AGP for the State WP(ST)/34639/2025, WP(ST)/34607/2025.

Mr. S.P. Kamble, AGP for the State in WP(ST)/34784/2025, WP(ST)/34791/2025.

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

DATE: 18 DECEMBER 2025

P.C.

1. This batch of petitions raises similar issues of law and fact, hence, they are being decided by this common judgment.

2. The prayers in all these petitions being common, for convenience, we note the prayers as made in the lead petition (Madhav Bandu Pawar Vs. Competent Authority National Highway Authority & Anr.) which reads thus:

“a) That this Hon'ble High Court may be pleased to issue a Writ of mandamus or any other appropriate writ or order or directions in the nature of mandamus thereby directing the National Highway Authority of India to fulfill its obligation by paying the Petitioners an amount towards solatium contemplated under Section 23(2) and the interest thereon under Section 28 of the Land Acquisition Act, 1894 on the enhanced compensation granted by the Additional Divisional Commissioner and Arbitrator, National Highway Authority, Nashik for their land so acquired in the year 2008;

b) Such other and further reliefs be granted as the nature and circumstances of the case may require.”

3. The case of the petitioners is that the land of the petitioners as described in each of these petitions, was subject matter of acquisition for construction of National Highway No.3 Mumbai-Agra. In regard to this land acquisition, a notification dated 14 September 2005, under Section 3A of the National Highways Act, 1956 was issued. Thereafter, on 2 July 2007 a notification under Section 3D was issued. Awards were declared under Section 3G by the Competent Authority on different dates which are 18 February 2008, 12 March 2008, 19 July 2008 and 14 August 2008 respectively.

4. In June 2011, the petitioners filed an application/statement of claim under Section 3G (5) and (6) of the National Highways Act, 1956 before the learned Arbitrator, seeking enhancement of the compensation awarded by the Competent Authority. On such proceedings, on 30 June 2018, a decision was rendered by the learned arbitrator under which the claim of the petitioner was partly allowed.

5. The case of the petitioners is that subsequent to the decision of the arbitrator on 19 September 2019, the Supreme Court declared the law in **Union of India Vs. Tarsem Singh**¹, whereby the provisions of Section 3J of the National Highways Act were struck down which deprived the persons, whose lands were acquired, of the benefits of solatium and interest under the provisions of Section 23(1A) and (2), and of interest under Section 28 of the Land Acquisition Act, 1894. The following are the relevant observations which are made by the Supreme Court in the said judgment:

“52. There is no doubt that the learned Solicitor General, in the aforesaid two orders, has conceded the issue raised in these cases. This assumes importance in view of the plea of Shri Divan that the impugned judgments should be set aside on the ground that when the arbitral awards did not provide for solatium or interest, no Section 34 petition having been filed by the landowners on this score, the Division Bench judgments that are impugned before us ought not to have allowed solatium and/or interest. Ordinarily, we would have acceded to this plea, but given the fact that the Government itself is of the view that solatium and interest should be granted even in cases that arise between 1997 and 2015, in the interest of justice we decline to interfere with such orders, given our discretionary jurisdiction under Article 136 of the Constitution of India. We therefore declare that the provisions of the Land Acquisition Act relating to solatium and interest contained in Sections 23(1-A) and (2) and interest payable in terms of Section 28 proviso will apply to acquisitions made under the National Highways Act. Consequently, the provision of Section 3-J is, to this extent, violative of Article 14 of the Constitution of India and, therefore, a b declared to be unconstitutional. Accordingly, appeal arising out of SLP (C) No. 9599 of 2019 is dismissed.”

6. In this view of the matter, the petitioners filed applications sometime in the year 2019 challenging the award(s) dated 30 June 2018 passed by the learned Arbitrator in proceedings under Section 34 of the Arbitration and Conciliation Act, wherein the petitioners prayed for award of solatium and interest, under Section 23(1A) and (2) of the Land Acquisition Act, 1894. Such proceedings were instituted before the Court of learned District judge, Nashik. The said proceedings

1 (2019)9 SCC 304

were disposed of by the learned District Judge by a judgment and order dated 4 May 2023, whereby the Section 34 Applications filed by the petitioners were dismissed. The learned District Judge held that grant of solatium and interest would amount to modification of the award rendered by the learned Arbitrator, which would not be permissible in exercise of the jurisdiction under Section 34 of the Arbitration and Conciliation Act, 1996.

7. The judgment and order dated 4 May 2023 rendered by the learned District Judge was challenged by the petitioners before this Court in the proceedings of an Appeal filed under the Section 37 of the Arbitration and Conciliation Act. A learned Single Judge, by judgment and order dated 9 June 2025, agreed with a view taken by the learned District Judge, that if such plea as urged by the petitioner was to be accepted, it would amount to modification of the award. Hence, the learned Single Judge while disposing of the said proceedings, kept open the rights and contention of the petitioners to be urged in the appropriate proceedings. Accordingly, the present petition(s) are filed.

8. The learned counsel for the petitioners thus would submit that the case of the petitioners is squarely covered by the decision of the Supreme Court in **Union of India Vs. Tarsem Singh** (supra) whereby, the entitlement for grant of solatium and interest to such persons, whose land has been acquired, has been clearly recognized. He has also brought to our attention the orders passed by a coordinate Bench of this Court on a batch of petitions in **Harish @ Haribhau Yashwantrao Sonawane Vs. the Union of India & Ors²**. in which a Coordinate Bench of this

2 Writ Petition No.6771 of 2021 and other writ petitions

Court accepting a plea similar to the one made by the petitioners in the present proceedings passed the following order:

- “1. The learned counsel for the parties state that these Petitions involve a common issue of law and fact and therefore, the Petitions are being disposed by this common Judgment and Order. Both the counsels also placed reliance on the decision of the Supreme Court of India in the case of Union of India Vs Tarsem Singh and Ors.
 2. The Petitioners seek a 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. Mr. Pramod N. Joshi appears for the Petitioners in all the Petitions and Mr. N.R.Bubna, appears for the Union of India. Mr. S. P. Kamble, learned AGP represents the State and Mr. Rakesh Singh represents the National Highway Authority of India (‘NHAI’).
 4. We have gone through the decision in Tarsem Singh (Supra). All the counsels agree that the decision in Tarsem Singh (Supra) applies to the present Petitions. Thus, we direct that the Petitioners shall furnish a copy of the award to the 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. We direct that thereafter the NHAI shall compute the solatium and interest in accordance with the principle of law as laid down in Tarsem (Supra) within a period of three months from the date on which the Petitioners furnish a copy of the award to the NHAI.
 5. The computed amount shall be deposited by the NHAI with the Collector of the concerned Districts within the specified period as aforesaid. We are informed by Mr. Singh that the National Highways Authority of India has filed a Review Petition bearing Diary No.44096 of 2025 seeking review of the Tarsem Singh decision before the Supreme Court and the same is pending. In these circumstances, the amount deposited with the Collector shall be disbursed to the respective Petitioners depending on the outcome of the Review Petition.
 6. Thus, the Petitions are disposed of in the aforesaid terms.
 7. Interim order, if any, stands vacated. Interim Applications, if any, do not survive and are disposed of accordingly.
 8. List for ‘Reporting Compliance’ of the present order on 17th November 2025.
 9. All parties to act on an authenticated copy of this order.”
9. It is on such backdrop, we have heard learned counsel for the parties.
10. Mr. Singh, learned counsel for the NHAI, would fairly submit, as also, would not dispute that the decision of the Supreme Court in **Tarsem Singh** (supra) would squarely become applicable in the present situation. He however submits

that as noticed by the Court in the Case of **Harish @ Haribhau Yashwantrao Sonawane** (supra), the NHAI has already filed Review Proceedings against the said decision which are pending before the Supreme Court.

11. Having heard learned counsel for the parties and having perused the record of the present proceedings, the position in law as laid down in the decision in **Tarsem Singh** (supra) clearly applies in the present proceedings.

12. We may also observe that respondent – National Highways Authority of India moved a Miscellaneous Application before the Supreme Court seeking clarification regarding the judgment as rendered by the Supreme Court in **Tarsem Singh's** (supra), as to whether, the judgment is to be applied prospectively, thereby precluding reopening of cases, where land acquisition proceedings have already been completed and the determination of compensation had also attained finality. In considering the rival contentions on the Miscellaneous Application (bearing Miscellaneous Application No.1773 of 2021 in Civil Appeal No.7064 of 2019) and in such context considering the position in law, the supreme Court did not accept such contention and dismissed the Miscellaneous Application thereby confirming the view as taken by the Supreme Court in **Tarsem Singh** (supra). The following observations as made by the Supreme Court are required to be noted which read thus:

“E. CONCLUSION

25. In view of the foregoing analysis, we find no merit in the contentions raised by the Applicant, NHAI. We reaffirm the principles established in **Tarsem Singh** (supra) regarding the beneficial nature of granting ‘solatium’ and ‘interest’ while emphasising the need to avoid creating unjust classifications lacking intelligible differentia. Consequently, we deem it appropriate to dismiss the present Miscellaneous Application.

26. Leave is granted in the other connected matters, and all the appeals are disposed of with a direction to the Competent Authority to calculate the amount of 'solatium' and 'interest' in accordance with the directions issued in *Tarsem Singh* (supra). In this context, the appeal arising out of SLP (C) Diary No.52538/2023 is dismissed, as the challenge therein pertains to the High Court's refusal to award Additional Market Value as another component of the compensation, while 'solatium' and 'interest' have already been granted."

13. In **Ashok Shankar Bhor & Ors. Vs. The Union of India & Ors**³ this Court in circumstances similar to the present case, following the decision of the Supreme Court in **Tarsem Singh** (supra), passed the following order :-

"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**⁴, 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*

3 Writ Petition No. 14309 of 2025 decided on 13 November 2025

4 (2019) 9 SCC 304

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*⁵; *Sulochanabai Pratap Suryawanshi and others Vs. The Union of India and others*⁶; *Kisanlal Bairudas Jain Vs. Union of India and others*⁷; *Hiraman Namdeo Lonare and others Vs. The Union of India and others*⁸; *Harish Sonwane Vs. The Union of India and others*⁹, 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;

(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

5 Writ Petition No. 7224 of 2022 dated 25.04.2025

6 Writ Petition No. 11702 of 2019 & group

7 Writ Petition No. 9608 of 2023 and group

8 Writ Petition No. 11932 of 2019 and group

9 Writ Petition No. 6771 of 2021 and group

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.”

14. In the light of the aforesaid discussion, in our clear opinion, the petitioner would be entitled for solatium and interest as directed by the Court in the orders as referred by us hereinabove. We are hence inclined to dispose of these petitions in terms of the following order:

ORDER

- (i) The petitioners are directed to furnish a copy of the land acquisition award to the Competent Authority / The Collector, Land Acquisition, within a period of four weeks from today.
 - (ii) On deposit of the award, the Competent Authority shall compute the solatium and interest payable to the petitioners under Section 23(1A) and (2) read with Section 28 of the Land Acquisition Act, 1894 in accordance with law within a period of eight weeks of the receipt/deposit of the award by the petitioners.
 - (iii) The Competent Authority shall thereafter forward such order determining the solatium and interest amounts to the National Highways Authority demanding the said amounts as calculated in each of these cases. Within a period of three months from the date of receipt of such computation, the National Highways Authority shall deposit such award amounts with the Competent Authority, which would be then required to be disbursed to the petitioners.
 - (iv) Subject to the orders which would be passed by the Supreme Court in the Review petition filed by the National Highways Authority of India (NHAI) seeking Review of the judgment of the Supreme Court in Union of India Vs. Tarsem Singh (supra), the Competent Authority to take further steps to disburse the said amounts subject to the orders.
15. The petitions stand disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)