

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12584 OF 2025
WITH
INTERIM APPLICATION (ST) NO.34419 OF 2025
IN
WRIT PETITION NO. 10016 OF 2024

The Competent Authority And Deputy
Collector Land Acquisition

...Applicant

In the matter between:

Mr. Rajendra M.developers And Builders
Pvt. Ltd. & Anr.

...Petitioners

Versus

State of Maharashtra & Ors.

...Respondents

Ms. Savita A. Prabhune, AGP for Applicant/State.

Mr. Pradeep J.Thorat i/b. Ms. Aditi S. Naikare, for Petitioner.

Mr. Rakesh Singh i/b. M.V.Kini & Co. for Respondent No.2/NHAI.

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

DATE: 17th October 2025

P.C.

1. This is an application, filed in a disposed of Petition on behalf of State Government the Deputy Collector (Land Acquisition) National Highway Project, Nashik. The aforesaid Writ Petition was disposed of by an Order dated 9th September 2025, more particularly in terms of following Order:

4. Having heard learned Counsel for the parties and having perused the record, we are of the clear opinion that the entitlement of the petitioners to receive the compensation is recognized in the award. This appears to be not in dispute. Insofar as M/s. Alandi Left Bank Canal Development is concerned, any claim of the said organization is required to be

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determined. It also appears that respondent No.3 the Project Director of NHAI, addressed a letter dated 4 January 2024 to respondent No.2 that the land acquisition payment be kept in abeyance, which appears to be a omnibus letter, and it is not addressed in the petitioner's case.

5. In this view of the matter, we are of the opinion that respondent No.2 needs to take an appropriate decision so as to disburse the award amount as quantified in the land acquisition award in question and after hearing M/s. Alandi Left Bank Canal Development as also the Project Director, NHAI and the petitioner. As the award itself is dated 13 March 2023, there ought not to be a further delay in payment of compensation. Thus, although respondent No.3 is not represented in the present proceedings, in our opinion, considering the nature of the order which we intend to pass, no prejudice would be caused to respondent No.3 as all its contentions can be raised before respondent No.2 while taking decision of disbursement of the award amount.

6. We accordingly direct respondent No.2 to hear all the concerned parties as expeditiously as possible, in any event, within a period of six weeks from today and take a decision in terms of the Award on disbursement of the compensation amount and in accordance with law. All contentions of the parties in that regard are expressly kept open.

7. The petition is disposed of in the aforesaid terms. No costs.

2. As submitted by Ms. Prabhune, learned AGP, the award amount has not been received by the Competent Authority/Applicant, from the National Highway Authority of India (NHAI), for the reason that so far no clearance has been granted by the Central Government in regard to the project in question. Although the award itself was rendered by Respondent No.2 on 13th March 2023, Mr. Singh learned counsel for the NHAI states that the NHAI is pursuing the matter with Central Government and since clearance is not granted to the project. He states that subject to the decision which would be taken by the Central Government, further appropriate steps can be taken either to cancel the acquisition or to make payment of the award amount as the law would mandate.

3. In these peculiar circumstances our order dated 9th September 2025, as noted hereinabove for the time being cannot be acted upon. We accordingly direct the NHAI to inform the competent authority/Land Acquisition Officer of the decision which would be taken on the acquisition in question, so that Applicant/Competent authority can take further appropriate steps including to give effect to the direction as made by this Court in the aforesaid Writ Petition.

4. The NHAI needs to pursue the Central Government and obtain orders from the Central Government as expeditiously as possible and in any event within a period of six weeks from today. In the event any of the parties desire any further orders liberty to apply.

5. Interim Application stands disposed of in the aforesaid terms. No costs.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)