



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

MISC. CIVIL APPLICATION NO.768 OF 2025

leo s/o Bhanwarlal Malu and anr The Project Director, NHAI, Ministry of Road Transport and
Highways, Nagpur and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H.R. Gadhia, Advocate for applicants.
Mr. A.A. Kathane, Advocate for respondent No.1

CORAM : ANIL S. KILOR & RAJNISH R. VYAS, JJ.

DATED : 17-10-2025.

Heard learned counsel for the parties.

2. This is an application for review of order dated 19.9.2025 filed by the applicants on the ground that in similar circumstanced matter, the respondent was directed to pay solatium along with interest accrued thereon and deposit the same with land acquisition authority. Order of similar nature dated 19.09.2025 in Writ Petition No. 1706/2025 is produced for our perusal.

3. In the interest of justice, therefore, order of which review is prayed for is recalled and following order is passed:

4. Mr. Gadhia, learned counsel appearing for the applicants has invited our attention to the reported judgment of the Apex Court in the matter of *Miscellaneous Application No. 1773 of 2021 in Civil Appeal No.7064 of 2019 Union of India and another vs. Tarsem Singh and others with connected matters*, decided on 04.02.2025. The Apex Court in the aforesaid order re-affirmed the principles established in the case of ***Civil Appeal No.7064 of 2019 Union of India vs. Tarsem Singh and others reported in [(2019) 9 SCC 304]***. He would as such urge that the Supreme Court in view of the

aforesaid authoritative endorsement has extended the benefit of granting solatium with interest so as to avoid unjust calculations.

5. In the aforesaid background, he would claim that the application needs to be allowed thereby directing the respondents not only to pay solatium but also interest thereon.

6. Since the aforesaid contention is borne out of record viz. Authoritative endorsement/pronouncement dated 04.02.2025 referred above, it is not disputed by the counsel appearing for the respondent – NHAI.

7. As such, it is to be held that the applicants are not only entitled for solatium but also interest thereon.

8. That being so, we deem it appropriate to direct the respondent Acquiring Body to deposit the amount of solatium with interest accrued thereon with the Land Acquisition Authority within a period of twelve weeks along with the calculations made by them.

9. Needless to clarify the applicants shall be entitled for such interest and solatium.

10. The learned District Judge, Nagpur is further directed to decide Civil Misc. Application No. 847-2019 within six weeks from today.

11. The application, as such, stands allowed in above terms. No costs.

(RAJNISH R. VYAS, J)

(ANIL S. KILOR, J)