IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13494 OF 2026

SHYAMSUNDAR PURSARAM VARMA SINCE DECEASED
THROUGH RADHA SHYAMSUNDAR VARMA AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH
THE DEPUTY SECRETARY AND OTHERS
...
Advocate for the Petitioner : Mr. Raje Vikrant P.
AGP for Respondents: Mr. S.K. Tambe
Advocate for Respondents : Mr. Borulkar Avinash R.
...

CORAM : NITIN B. SURYAWANSHI AND
ABASAHEB D. SHINDE, JJ.

DATE : 08.10.2026

PER COURT:

1. Since this petition involves common questions of law and fact, it is being disposed of by this common order.

2. A copy of the decision of the Hon'ble Apex Court in the Review Petition filed in the matter of ***"National Highways Authority of India vs. Tarsem Singh and others"*** in ***Review Petition (Civil) No. 2528 of 2025*** has been placed on record. Perusal of the said order, reveals that the Review Petition is disposed of by issuing following directions :

> *"14.Considering the facts and circumstances explained in the instant proceedings along with the various submissions placed on record and with a view to balancing the equities regarding delay and the entitlements of the landowners, we issue the following directions:*

(i) All landowners whose claims re: the quantum and/or components of compensation for their lands acquired under the NH Act were alive on or after 28.03.2008, i.e., they were pending before one of the prescribed fora, shall be entitled to seek addition of 'interest', 'solatium', and 'interest on the solatium' to their compensation claim;

(ii) In the cases where compensation claims are alive on the aforesaid date, but the landowner has claimed "interest"' 'solatium', and 'interest on solatium' after 28.03.2008, no interest on both components shall be payable for the period of delay. Such landowner shall be entitled to 'Interest' and 'Interest on solatium' only from the date on which such claims were raised; and

(iii) If the claims of the landowners stood concluded prior to 28.03.2008, with no further appeal, Writ Petition, Special Leave Petition, etc., then such landowners are not entitled to seek reopening, review, or modification of the said decision for the purpose of claiming 'solatium' or 'interest'."

3. Indisputably, the issue raised in this petition and the prayers made are squarely covered by the decision of the Coordinate Bench of this Court in Writ Petition No. 13783 of 2025 in the case of ***"Prakash Dayaram Patil Devre vs. The Competent Authority Land Acquisition and Another"*** and connected matters. In view of the principles enunciated in the case of ***"Union of India (UOI) and Ors. Vs. Tarsem Singh and Ors". reported in 2019 (9) SCC 304***, we pass the following order :

ORDER

a) The writ petition is allowed by directing the competent authority to compute and pay to the petitioners solatium and

interest in accordance with the principles enunciated in the case of ***"Union of India and another Vs. Tarsem Singh and others"*** (Supra) within a period of six (6) months from today.

(b) It is made clear that the petitioners shall assist the competent authority by producing all relevant documents and upon verification of the same, the competent authority shall proceed further. It is also clarified that payments made pursuant to the directions given herein above, shall be subject to the challenges, if any, raised under Sections 34 and 37 of the Arbitration and Conciliation Act, 1996.

(c) In the light of the observations made herein above, it is further made clear that if any of the parties are aggrieved by the quantum and computation carried out by the competent authority while carrying out the directions given herein above, the remedy of Section 3G (5) of the National Highways Act, 1956 would be available to such aggrieved party in accordance with law. It is further made clear that the competent Authority while implementing the directions given herein above shall give reasonable hearing to all stake holders.

4. As observed by this Court in clause ‘C’(supra), if any party has any objection in respect of the calculation of the compensation amount, they are at liberty to approach Arbitrator under Section 3G (5) of the National Highways Act.

(ABASAHEB D. SHINDE, J.) (NITIN B. SURYAWANSHI, J.)

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