



{1}

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3703 OF 2025

Anirudh Subash Naik

... Petitioner

Versus

1. State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. Land Acquisition Officer for  
State highway (Special) No. 2(A)  
viz. Jalna-Nanded Expressway  
Sub Divisional Officer,  
Taluka Sailu, District Parbhani.
3. District Level Committee, Parbhani,  
through its Secretary,  
The Sub Divisional Officer / Land  
Acquisition Officer, Taluka Sailu,  
District Parbhani.
4. The Collector Parbhani  
Collector Office, Parbhani.
5. The MSRDC  
Through its MD, Mumbai

... Respondents

AND

WRIT PETITION NO. 3229 OF 2025

1. Babasaheb S/o. Ganpatrao Shewale
2. Mahananda W/o. Manikrao Chandne
3. Kantabai W/o. Dattarao Raut

... Petitioners

Versus

{2}

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

1-A The Collector, Parbhani.

2. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018 through its  
Secretary, the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
3. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
4. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai.

... Respondents

**AND**

**WRIT PETITION NO. 5709 OF 2025**

1. Vitthal S/o. Narayan Gadekar
2. Punjab S/o. Govindrao Gadekar
3. Amol @ Bhagwan S/o. Abasaheb Gadekar
4. Lakshman S/o. Ganesh Gadekar
5. Nikita W/o. Amol Gadekar
6. Priyanka W/o. Sarjerao Gadekar
7. Mandakini W/o. Kalyan Gadekar
8. Sadhana W/o. Sanjay Gadekar
9. Vanita W/o. Jeevan Gadekar

... Petitioners

{3}

Versus

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 8302 OF 2025**

1. Vijay Dnyanoba Kharat
2. Gopal Manohar Jadhav
3. Siddharth Manaji Ghansawant
4. Safiyabi Ambirkha Pathan
5. Amrutrao Narayanrao Shinde

... Petitioners

Versus

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

{4}

2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13737 OF 2025**

1. Ajinkya S/o. Pradiprao Naik
2. Abhijit S/o. Pradiprao Naik
3. Subhash S/o. Chaburao Naik
4. Shankar S/o. Kishanrao Jadhav

... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.

{5}

4. Land Acquisition Officer for acquisition of land for State Highway from Jalna to Nanded/Sub Divisional Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road Development Corporation, Through its Managing Director, Napean Sea Road, Priyadarshani Park, Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13734 OF 2025**

1. Krushna S/o.Vijay Take
2. Vijay S/o. Apparao Take
3. Mahesh S/o. Narayan Take
4. Anirudha S/o. Kundlikrao Take
5. Pandharinath S/o. Kondiba Take
6. Chandrakalabai W/o. Bapurao Take

*Versus*

1. The State of Maharashtra Through Principal Secretary, Public Works Department (Public Enterprise) MSRDC, Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District Constituted under the Government Order dated 29.05.2018 Through its Secretary, the Sub Divisional Officer/ Land Acquisition Officer, Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for acquisition of land for State Highway from Jalna to Nanded/Sub Divisional Officer, Taluka Sailu, District Parbhani.

{6}

5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13735 OF 2025**

1. Datta S/o.Shankar Deshmane
2. Anjali W/o. Shadanan Deshmane
3. Ramesh S/o. Baburao Ibitwar
4. Pralhad S/o. Santukrao Padghan
5. Sayyad Lal S/o.Sayyad Kasam
6. Sayyad Mastan S/o. Sayyad Amin
7. Sayyad Jalal S/o. Sayyad Amin
8. Sayyad Mahemud S/o. Sayyad Amin
9. Sayyad Abrar S/o. Sayyad Bashir
10. Ganesh S/o. Sahebrao Mundhe
11. Santosh S/o. Babarao Bodkhe
12. Girjabai W/o. Sahebrao Mundhe
13. Narayan S/o. Bapurao Bodkhe
14. Kaveri Maroti Bodkhe
15. Digambar S/o. Bapu Measure
16. Jijabhau S/o. Sahebrao Dhapse
17. Bhagwan S/o.Devrao Abuj
18. Nirmala W/o. Narayan Rokade
19. Bapurao S/o. Kundlikrao Rokade
20. Santosh S/o. Uttamrao Saruk
21. Bajirao S/o. Bhimrao Bodkhe

... Petitioners

Versus

{7}

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13739 OF 2025**

1. Ganesh S/o. Ashroba Gadekar
2. Gajanan S/o. Raosaheb Gadekar
3. Suresh S/o. Kishanrao Gadekar
4. Digambar S/o. Nivrutti Gadekar
5. Bhagwan S/o. Vitthalrao Wandhe
6. Taterao S/o. Govindrao Gayakwad

... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

{8}

2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13738 OF 2025**

1. Ramesh S/o. Gangadhar Kharat
2. Suvarna W/o. Bappasaheb Kharat
3. Sujata W/o. Ramrao Kharat
4. Saraswati W/o. Dattarao Kharat

... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.

{9}

4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

AND

**WRIT PETITION NO. 13027 OF 2025**

1. Prakash Ashroba Nirval
2. Rajendra Babasaheb Gadekar
3. Rekha Mahadev Dhavale (Died)  
Through L.Rs. Petitioner No.4
4. Sarjerao Mahadevrao Dhavale
5. Pradeep Dattatray Gadekar
6. Shrinivas Dattatray Gadekar
7. Kishor Balasaheb Gadekar
8. Dnyaneshwar Shivaji Gadekar
9. Balasaheb Govindrao Gaikwad
10. Tushar Taterao Gaikwad
11. Sunita Taterao Gaikwad
12. Laxmibai Balasaheb Gaikwad
13. Savita Ashroba Gadekar
14. Shivaji Gulabrao Gadekar
15. Shrinivas Murlidhar Takey
16. Prabhakar Shankarrao Takey
17. Pralhad Sukhdeorao Nirval
18. Parikshit Prabhakar Takey
19. Hrishikesh Prabhakar Takey

... Petitioners

Versus

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
  2. The Collector, Parbhani.
  3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
  4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
  5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.
  6. The District Superintendent Agriculture  
Officer, Parbhani.
  7. The Taluka Agricultural Officer,  
Taluka Sailu, District Parbhani.
  8. The District Superintendent of Land Records  
District Parbhani.
  9. The Tahsildar, Sailu,  
Taluka: Sailu, Dist.: Parbhani.
- ... Respondents

AND

WRIT PETITION NO. 13026 OF 2025

{11}

1. Annapurna Vajjnath Masure
  2. Dnyaneshwar Balkrishna Lakhamale
  3. Padmavati Balkrishna Lakhamale
  4. Rangnath Apparao Dhapse
  5. Sadanand Digambar Masure
  6. Parvatibai Sahebrao Thorat
  7. Prabhu Sahebrao Thorat
  8. Gangadhar Apparao Dhapse
  9. Devrao Ranuji Abuj
  10. Ashok Digambar Masure
  11. Tukaram Sahebrao Dhapse
  12. Shadanand Shankarrao Deshmane
  13. Sudamati Tukaram Pitale
  14. Prakash Rambhau Dhapse
  15. Tukaram Haribhai Mundhe
  16. Janardhan Bapusaheb (Wamanrao)  
Choudhari
  17. Daivashala Dattatray Deshmane
  18. Abhijeet Shadanand Deshman
  19. Amir Khan Wahed Khan Pathan
  20. Juber Wahed Khan Pathan
  21. Bapu Rambhau Sonawane (Died)  
Through L.Rs.
  - 21A Anjanabai Bapurao Sonawane
  - 21B Rambhau Bapurao Sonawane
  - 21C Laxman Bapurao Sonawane
  22. Rabhoji Bapurao Sonwane
  23. Manik Bapurao Sonwane
  24. Tukaram Nivrutti Pitale
- ... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

{12}

2. The Collector, Parbhani.
  3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
  4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
  5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.
  6. The District Superintendent Agriculture  
Officer, Parbhani.
  7. The Taluka Agricultural Officer,  
Taluka Sailu, District Parbhani.
  8. The District Superintendent of Land Records  
District Parbhani.
  9. The Tahsildar, Sailu,  
Taluka: Sailu, Dist.: Parbhani.
- ... Respondents

AND

**WRIT PETITION NO. 13020 OF 2025**

1. Vaibhav Ramrao Kharat
  2. Harshad Ramrao Kharat
  3. Asaram Baban Fand
- ... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

{13}

2. The Collector, Parbhani.
  3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
  4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
  5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.
  6. The District Superintendent Agriculture  
Officer, Parbhani.
  7. The Taluka Agricultural Officer,  
Taluka Sailu, District Parbhani.
  8. The District Superintendent of Land Records  
District Parbhani.
  9. The Tahsildar, Sailu,  
Taluka: Sailu, Dist.: Parbhani.
- ... Respondents

AND

**WRIT PETITION NO. 13024 OF 2025**

1. Mandodari Sonaji Panchal
2. Kosabai Maroji Jogdand
3. Kailash Uttamrao Ikkar
4. Shivaji Babanrao Lingayat
5. Bhagwan Munjaji Shinde
6. Trymbak Kishanrao Ikkar
7. Baban Hiraji Jogdand
8. Rajebhau Punjaji Jogdand

{14}

9. Maroti Munjaji Shinde
10. Motiram Sudhakar Lagad
11. Tukaram Shivajirao Ikkar
12. Rakhamaji Sundar Ikkar
13. Pralhad Kundlikrao Ikkar
14. Waman Ashroba Kathole
15. Vishnu Ankushrao Ikkar
16. Kundlik Munjaji Ikkar
17. Vaishali Motiram Lagad
18. Satyabhamabai Shivajirao Katare
19. Sheshrao Sanjabrao Katare

... Petitioners

Versus

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

{15}

6. The District Superintendent Agriculture Officer, Parbhani.
7. The Taluka Agricultural Officer, Taluka Sailu, District Parbhani.
8. The District Superintendent of Land Records District Parbhani.
9. The Tahsildar, Sailu, Taluka: Sailu, Dist.: Parbhani.

... Respondents

AND

**WRIT PETITION NO. 13018 OF 2025**

1. Ramkrishan Dattarao Take
2. Subhash Uddhavrao Take
3. Nilawati Dattatray Take
4. Dhuraji Dagadoba Take
5. Sopan Rajaram Take

... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.

{16}

5. The Maharashtra State Road Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.
6. The District Superintendent Agriculture Officer, Parbhani.
7. The Taluka Agricultural Officer,  
Taluka Sailu, District Parbhani.
8. The District Superintendent of Land Records  
District Parbhani.
9. The Tahsildar, Sailu,  
Taluka: Sailu, Dist.: Parbhani.

... Respondents

**AND****WRIT PETITION NO. 13025 OF 2025**

1. Vasant Kishanrao Jadhav
2. Dilip Kishanrao Jadhav
3. Priti Pradeepnao Naik
4. Rehana Babalal Tashildhar
5. Tukaram Dadarao Deshmukh
6. Digambar Kisanrao Jadhav

... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government

{17}

Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.

4. Land Acquisition Officer for acquisition of land for State Highway from Jalna to Nanded/Sub Divisional Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road Development Corporation, Through its Managing Director, Napean Sea Road, Priyadarshani Park, Mumbai-400036.
6. The District Superintendent Agriculture Officer, Parbhani.
7. The Taluka Agricultural Officer, Taluka Sailu, District Parbhani.
8. The District Superintendent of Land Records District Parbhani.
9. The Tahsildar, Sailu, Taluka: Sailu, Dist.: Parbhani. ... Respondents

AND

**WRIT PETITION NO. 13019 OF 2025**

1. Ratnamala Uddhavrao Javale
2. Vaijnath Haribhau Ghansawant
3. Vishwanath Haribhau Ghansawant ... Petitioners

*Versus*

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.

2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.
6. The District Superintendent Agriculture  
Officer, Parbhani.
7. The Taluka Agricultural Officer,  
Taluka Sailu, District Parbhani.
8. The District Superintendent of Land Records  
District Parbhani.
9. The Tahsildar, Sailu,  
Taluka: Sailu, Dist.: Parbhani.

... Respondents

**AND**

**WRIT PETITION NO. 13022 OF 2025**

1. Bhagubai Shripatrao Shewale
2. Shridhar Vishwambhar Jadhav
3. Vishal Vishwambhar Jadhav
4. Vishwambhar Dattatrao Jadhav
5. Sandhya Kalyan Jadhav
6. Shantanu Prabhakar Jadhav
7. Madhukar Babarao Jadhav
8. Kalyan Digambarrao Jadhav

{19}

9. Manohar Dattarao Jadhav
10. Gopal Manohar Jadhav
11. Rameshwar Devidas Ikkar
12. Arjun Kisanrao Jadhav
13. Pandit Gopinathrao Jadhav
14. Janabai Narayan Jadhav (died)  
through L.Rs.
- 15.1 Sukdeo Narayanrao Jadhav
- 15.2 Somitra Vinayak Jadhav
16. Sonaji Gopinathrao Jadhav
17. Satish Limbaji Raut
18. Amol Limbaji Raut
19. Tanhaji Bramhaji Raut
20. Babasaheb Gururakhami Bidkar

... Petitioners

Versus

1. The State of Maharashtra  
Through Principal Secretary,  
Public Works Department  
(Public Enterprise) MSRDC,  
Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.
3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

{20}

6. The District Superintendent Agriculture Officer, Parbhani.
7. The Taluka Agricultural Officer, Taluka Sailu, District Parbhani.
8. The District Superintendent of Land Records District Parbhani.
9. The Tahsildar, Sailu, Taluka: Sailu, Dist.: Parbhani.

... Respondents

AND

**WRIT PETITION NO. 13740 OF 2025**

1. Vasant S/o. Gulabrao Ikkar
2. Srikant S/o. Gopalrao Ikkar
3. Ayodhya W/o. Nagorao Ikkar
4. Kisanrao S/o.Ashroba Kathole
5. Sunderrao S/o. Vitthalrao Ikkar
6. Munja S/o. Shivaji Ikkar
7. Parmeshwar S/o. Devidas Ikkar
8. Saraswati W/o. Ankushrao Ikkar
9. Narayan S/o. Ankushrao Ikkar
10. Rakhmaji S/o.Bhaurao Ikkar
11. Rohidas S/o. Bhaurao Ikkar
12. Ramkishan S/o. Piraji Jogdand

... Petitioners

*Versus*

1. The State of Maharashtra Through Principal Secretary, Public Works Department (Public Enterprise) MSRDC, Mantralaya, Mumbai – 400 032.
2. The Collector, Parbhani.

{21}

3. The Committee for Parbhani District  
Constituted under the Government  
Order dated 29.05.2018  
Through its Secretary,  
the Sub Divisional Officer/  
Land Acquisition Officer,  
Taluka Sailu, District Parbhani.
4. Land Acquisition Officer for  
acquisition of land for State Highway  
from Jalna to Nanded/Sub Divisional  
Officer, Taluka Sailu, District Parbhani.
5. The Maharashtra State Road  
Development Corporation,  
Through its Managing Director,  
Napean Sea Road, Priyadarshani Park,  
Mumbai-400036.

... Respondents

.....

Mr. Prasad Dhakephalkar, Senior Advocate a/w Mr. Chinmay Acharya,  
Advocate and Mr. Yadhunath Chaudhari i/by Mr. Patik Bhosale, Advocate for  
Petitioner in WP/3703/2025

Mr. Surel Shah, Senior Advocate a/w Mr. Omkar Kulkarni, Advocate i/by Mr.  
Ajeet B. Kale, Advocate for Petitioners in WP/13025/2025

Mr. Rajesh Kachare, Advocate h/f Mr. Ajeet B. Kale, Advocate for petitioners in  
WP/13024/2025

Mr. Pratik A. Bhosale, Advocate for Petitioner in respective matters

Mr. Ajeet B. Kale a/w Ms. Sakshi A. Kale, Advocate for Petitioners in  
respective matters

Mr. Amol B. Chalak, Advocate for Petitioner in respective matters

Mr. Milind Sathe, Advocate General for Respondent-State in WP/3703/2025

Mr. A.B. Girase, Government Pleader, Mr. R.S. Wani, AGP for Respondent  
State in respective matters

Mr. Vijay Patil, Senior Advocate i/b Mr. A.V. Indrale Patil, Advocate for MSRDC

.....

**CORAM : SMT. VIBHA KANKANWADI AND  
HITEN S. VENEGAVKAR, JJ.**

**RESERVED ON : 09 JANUARY, 2026**

**PRONOUNCED ON : 17 FEBRUARY, 2026**

**JUDGMENT [Per Hiten S. Venegavkar, J.] :-**

1. Rule. Rule is made returnable forthwith. With the consent of the parties, the petitions are taken up for final disposal at the stage of admission.

2. The petitioners in all the aforesaid petitions are agriculturists whose lands are sought to be acquired for the public purpose of construction of State Highway (Special) No. 2A, being an 8-lane Super Express Highway proposed from Jalna to Nanded, which is intended to function as an extension of the existing Nagpur–Mumbai Samruddhi Highway. At the time of institution of these petitions, the primary challenge raised by the petitioners was to the communication dated 10<sup>th</sup> January 2025 issued by the Collector, Parbhani. However, during the pendency of these proceedings, the Land Acquisition Officer in respect of the said State Highway passed an award dated 29<sup>th</sup> September 2025. Consequently, all the petitioners, by way of amendment to their respective petitions, have extended their challenge to the said award, substantially on similar and overlapping grounds. Since all these petitions involve identical questions of law and arise out of the same subject matter pertaining to the said acquisition proceedings, they were heard together. Learned Senior Counsel Mr. Prasad Dhakephalkar appearing for the petitioner in Writ Petition No. 3703 of 2025 and

Learned Senior Counsel Mr. Surel Shah appearing in Writ Petition No. 13025 of 2025 advanced elaborate submissions. The learned advocates appearing in the connected petitions adopted the arguments advanced by the aforesaid learned senior counsels and have also tendered written submissions. The learned Advocate General appearing for the State of Maharashtra and its officers, and Learned Senior Counsel Mr. Vijay Patil appearing on behalf of respondent MSRDC, also advanced common arguments opposing all the petitions. In view of the commonality of issues, pleadings, and arguments, all the aforesaid petitions are being decided by this common judgment and order.

3. The factual background giving rise to the present writ petitions, as placed on record by the petitioners, indicates that the State of Maharashtra, by Government Resolution dated 12<sup>th</sup> May 2015, constituted a District Level Committee for the purpose of acquisition of lands through agreement with landholders for irrigation and other public projects in the State. The said Committee was constituted under the Chairmanship of the Collector, with the Land Acquisition Officer acting as its Secretary, and District Heads of various Government Departments were appointed as members of the said Committee. Thereafter, on 29<sup>th</sup> May 2018, the Government of Maharashtra issued a further Government Order stipulating that whenever land is to be

acquired for construction of a highway under the provisions of the Maharashtra Highways Act, the compensation payable under Section 19B of the said Act is required to be determined in accordance with the provisions contained in Sections 26 to 30 and Schedule I of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as “the New Land Acquisition Act”). It is the case of the petitioners that if a landholder agrees to accept such compensation and enters into an agreement with the Government, then in addition to the compensation so determined, an additional amount of 25% of such compensation is required to be paid to the landholder over and above the statutory compensation. The said Government Order further provided that the decision regarding payment of the additional 25% amount is to be taken by the District Level Committee constituted under the Government Resolution dated 12<sup>th</sup> May 2015.

4. The petitioners further state that on 26<sup>th</sup> November 2021, a notification under Section 15(2) of the Maharashtra Highways Act was published declaring the proposed road from Jalna to Nanded, connecting to the Samruddhi Highway, as a State Highway for the purposes of the said Act, and the lands belonging to the petitioners were included in the said notification for acquisition. Pursuant thereto,

a Joint Measurement Survey in accordance with Section 16 of the said Act was conducted on 10<sup>th</sup> January 2022, for which notices were issued to the District Agricultural Officer and other concerned departmental officers to remain present. The measurement of lands proposed to be acquired from nine villages namely Chikalthana (Khurd), Chikalthana (Budruk), Jawla Jiwaji, Raipur, Hathnur, Vaalur, Thandulwadi, Hatta and Gulkhand, all situated in Sailu Taluka of Parbhani District, was carried out in the presence of officers from all concerned departments including the Agricultural Department, as the survey also included enumeration and valuation of trees standing on the lands proposed to be acquired. The survey report was prepared and read over to the landowners on 2<sup>nd</sup> May 2022 and thereafter the final Joint Measurement Survey Report was prepared on 16<sup>th</sup> June 2022. Subsequently, as per the procedure prescribed under the said Act, a declaration under Section 18(2) was published on 3<sup>rd</sup> November 2022, as a consequence of which the lands mentioned therein stood vested in the State Government with effect from the said date.

5. The petitioners further contend that proceedings for determination of valuation of lands under Section 19B of the said Act were initiated by Respondent No. 3, the Land Acquisition Officer for the said project, who called for valuation reports from all concerned

departments in respect of land, trees, timber, wells and other improvements existing on the acquired lands. In response thereto, the Agricultural Department submitted two reports dated 10<sup>th</sup> April 2023 and 17<sup>th</sup> April 2023 relating to valuation of trees based on the Joint Measurement Survey. It is further stated that on 14<sup>th</sup> May 2023, the then Collector of Parbhani visited lands in four out of the nine affected villages and orally directed the Agricultural Department to submit a fresh valuation report. According to the petitioners, pursuant to such oral directions, the Agricultural Department submitted a second valuation report dated 23<sup>rd</sup> May 2023 based on Google Earth image data. The petitioners assert that the landowners were never informed about preparation of this second valuation report and that the same was prepared behind their back. It is further alleged that without granting any opportunity of hearing to the landowners, the compensation amount under Section 19B(6) of the said Act was directly determined by the District Level Committee for Parbhani District constituted under the Government Order dated 29<sup>th</sup> May 2018 in its meeting dated 9<sup>th</sup> June 2023.

6. The petitioners submit that when the authorities realized the procedural illegality in convening the meeting dated 9<sup>th</sup> June 2023 without hearing the landowners as mandated under Section 19B(6),

{27}

notices for personal hearing were subsequently issued by the Land Acquisition Officer, and the landowners participated in such hearings and raised objections particularly to the second valuation report which was prepared based on KML files and Google image data. It is further contended that the Maharashtra State Road Development Corporation (MSRDC), being the acquiring body, had in its meeting dated 3<sup>rd</sup> January 2023 issued specific directions that no extraneous material other than the Joint Measurement Survey Report should be relied upon while preparing valuation reports. The petitioners state that upon noticing existence of two distinct valuation reports prepared by the Agricultural Department and after considering objections raised by landowners, the Land Acquisition Officer sought guidance from the Superintending Agricultural Officer regarding which report should be relied upon. The Superintending Agricultural Officer, by communication dated 30<sup>th</sup> August 2024, informed that the valuation reports prepared in April 2023 were based upon the Joint Measurement Survey conducted in accordance with statutory provisions and further in view of guidelines issued by MSRDC, the first valuation report ought to be accepted and the second valuation report dated 23<sup>rd</sup> May 2023 ought to be ignored.

7. It is the case of the petitioners that thereafter Respondent No. 3,

after considering all relevant factors, passed an order under Section 19B of the said Act on 3<sup>rd</sup> September 2024 determining the compensation payable. It is further stated that on 9<sup>th</sup> September 2024, the Land Acquisition Officer forwarded a proposal along with the order under Section 19B determining compensation, to the District Level Committee for decision regarding payment of additional 25% compensation as per Government policy. The petitioners further state that the meeting of the District Level Committee was held on 4<sup>th</sup> October 2024 and as per minutes of the said meeting, which were obtained by the landowners, under RTI, the compensation determined by the Land Acquisition Officer on the basis of the first valuation report was accepted. According to the petitioners, they and other landowners gave their consent for acquisition of their lands based on the April 2023 valuation report and compensation determined by the Land Acquisition Officer on 3<sup>rd</sup> September 2024, which stood accepted by the District Level Committee on 4<sup>th</sup> October 2024.

8. The petitioners further state that thereafter no steps were taken by the authorities towards actual payment of compensation in terms of the decision dated 4<sup>th</sup> October 2024 and that the petitioners later gathered information that the respondents were not willing to proceed in accordance with the said decision and instead intended to act in

terms of the earlier decision dated 9<sup>th</sup> June 2023. It is further stated that by communication dated 10<sup>th</sup> January 2025, the Collector, Parbhani, addressed a letter to the Land Acquisition Officer stating that in a review meeting held by the Hon'ble Chief Minister of Maharashtra on 9<sup>th</sup> January 2025 regarding the Samruddhi Highway Project, directions were issued to grant compensation in accordance with the decision taken by the District Level Committee in its meeting dated 9<sup>th</sup> June 2023 and accordingly to prepare and finalise the award. The petitioners, therefore, by carrying out amendments to the petitions, have challenged the award on various grounds including the contention that the decision taken in the meeting dated 9<sup>th</sup> June 2023 is illegal and contrary to law as the same was taken without granting hearing to landowners as contemplated under Sections 19B(6) and 19B(7) of the Maharashtra Highways Act, 1955. It is further the contention of the petitioners that once the landowners had given their consent to the decision taken in the meeting dated 4th October 2024, the respondents are estopped from resiling from their promise to pay compensation as determined and accepted in the said meeting.

9. Learned Senior Counsel Mr. Dhakephalkar, appearing on behalf of the petitioners, submitted that upon publication of the notification under Section 15(2) of the Maharashtra Highways Act in the Official

Gazette on 26<sup>th</sup> November 2021, due process as contemplated under law was strictly followed by the authorities. He submitted that a physical Joint Measurement Survey was duly conducted in the presence of the petitioners as well as representatives of various Government Departments. During the course of the said survey, spot panchanamas were drawn and Form No. 16 was duly prepared, recording total measurement of each landholding, nature of land and details of structures and appurtenances standing thereon including houses, cattle sheds, wells, trees and other improvements. The learned counsel submitted that the panchanamas so prepared were thereafter published and finalized on 6<sup>th</sup> June 2022. He further submitted that subsequent to completion of the Joint Measurement Survey, declaration under Section 18(1) of the Maharashtra Highways Act came to be published on 3<sup>rd</sup> November 2022 and upon such declaration being issued, a statutory consequence followed whereby the petitioners lost the right to object to acquisition proceedings and the acquired lands stood vested in the State Government with effect from 3<sup>rd</sup> November 2022.

10. It was further submitted that thereafter the Land Acquisition Officer initiated proceedings for determination of compensation under Section 19B of the said Act by calling for valuation reports from all concerned departments. All departments submitted valuation reports

determining valuation of lands and attached assets. However, he submitted that thereafter the Collector constituted an ad hoc committee under the chairmanship of the Deputy Collector to visit the fields and assess valuation of trees standing on the acquired lands. The learned counsel submitted that such constitution of an ad hoc committee was neither prescribed nor warranted under the statutory framework. He submitted that the said ad-hoc committee conducted inspection behind the back of the petitioners on 16<sup>th</sup> May 2023 and submitted a report to the Collector, pursuant to which the Collector directed the Agricultural Department to submit a fresh valuation report based on KML files and Google Earth geographical data instead of relying upon the Joint Measurement Survey report. According to the learned counsel, acting upon such directions, the Agricultural Department prepared and submitted a second valuation report which is contrary to the provisions of law and decision of MSRDC not to consider extraneous material while preparing valuation report.

11. He further submitted that on 9<sup>th</sup> June 2023, a meeting of the District Level Committee was held wherein the second valuation report was placed for discussion and was accepted. The learned counsel argued that even in the said meeting no opportunity of hearing was granted to the petitioners to raise objections or suggestions regarding

the second valuation report and therefore there was a clear violation of Section 19B of the said Act, rendering the entire meeting and proceedings void and unsustainable. He further submitted that when the authorities realized that the meeting dated 9<sup>th</sup> June 2023 was held without granting hearing to the landowners as mandated under Section 19B(6) and (7), notices of personal hearing dated 12<sup>th</sup> June 2023 were issued and hearings were conducted on 26<sup>th</sup> June 2023. During the said hearings, the petitioners submitted written objections highlighting various statutory parameters required to be followed while determining compensation and objected to the manner and procedure adopted for preparation of the second valuation report as well as ignoring the first valuation report based on Joint Measurement Survey.

12. The learned counsel submitted that thereafter the Land Acquisition Officer issued a further notice dated 20<sup>th</sup> February 2024 scheduling personal hearing on 27<sup>th</sup> February 2024 and the petitioners submitted detailed written submissions on 26<sup>th</sup> February 2024 relying upon decision of MSRDC dated 3<sup>rd</sup> January 2023 directing that compensation should be computed on the basis of Joint Measurement Survey. It was further submitted that thereafter the Land Acquisition Officer sought opinion from the Agricultural Department regarding which of the two valuation reports should be considered. The

Agricultural Department by its letter dated 30<sup>th</sup> August 2024 clarified that the first valuation reports dated 10<sup>th</sup> April 2023 and 17<sup>th</sup> April 2023 were prepared strictly in accordance with statutory rules and procedure and that the second valuation report was prepared only pursuant to directions of the Collector based on KML data. The learned counsel submitted that the said communication specifically opined that the first valuation reports were correct and that the second valuation report prepared on the basis of third party committee inputs was not appropriate.

13. The learned counsel then submitted that a plain reading of Section 19B read with Section 19C and other related provisions makes it abundantly clear that determination of compensation is a statutory function vested exclusively with the Land Acquisition Officer and since such determination requires issuance of public notice, inviting claims, granting hearing and thereafter adjudicating compensation, the function is quasi judicial in nature. He submitted that such function must be performed independently by the Land Acquisition Officer without any guidance, direction or interference from the Collector, Government or any other authority. The learned counsel submitted that after considering objections of the landowners and reply of the Agricultural Department, the Land Acquisition Officer passed a

{34}

reasoned order noting discrepancies between valuation reports and clarification issued by the Agricultural Department vide letter dated 30<sup>th</sup> August 2024 and thereafter determined compensation under Section 19B by order dated 2<sup>nd</sup> September 2024, which was duly served upon petitioners through concerned Talathi.

14. The learned counsel submitted that thereafter, upon completion of adjudication, the Land Acquisition Officer forwarded proposal dated 9<sup>th</sup> September 2024 to the Collector for placing before the District Level Committee in terms of Government Resolutions dated 12<sup>th</sup> May 2015 and 29<sup>th</sup> May 2018 for the purpose of offering direct purchase of land by agreement by offering 25% additional compensation over and above the compensation determined under Section 19B. He submitted that in the meeting of the District Level Committee held on 4<sup>th</sup> October 2024, after detailed deliberations, the determination made by the Land Acquisition Officer was approved, as reflected in the minutes of the said meeting. He further submitted that thereafter all affected farmers by communication dated 7<sup>th</sup> January 2025 conveyed their consent to accept compensation as approved in the meeting dated 4<sup>th</sup> October 2024.

15. The learned counsel further submitted that since the Land

Acquisition Officer is a quasi judicial authority, any interference by the Collector, Minister or District Level Committee contrary to statutory scheme is opposed to the letter and spirit of the Maharashtra Highways Act and settled principles of law. He submitted that the District Level Committee is a body created by Government Resolutions issued under Article 162 of the Constitution of India read with statutory provisions and its role is limited. According to him, compensation must be determined by the Land Acquisition Officer and thereafter placed before the District Level Committee only for approval in terms of Government policy. He submitted that once the determination made by the Land Acquisition Officer on 2<sup>nd</sup> September 2024 was approved by the District Level Committee on 4<sup>th</sup> October 2024, the same attained finality and became binding on the Government. He further submitted that the decision to offer additional 25% compensation upon consent of landowners was accepted by the District Level Committee to avoid litigation and that mere disagreement by the Collector, who is only one member of the Committee, is inconsequential particularly when thirteen out of sixteen members approved and signed the minutes of meeting dated 4<sup>th</sup> October 2024.

16. The learned counsel further submitted that the directions

allegedly issued by the Collector in letter dated 10<sup>th</sup> January 2025 based on oral instructions of higher authorities were dehors the provisions of the Maharashtra Highways Act and Government Resolutions of 2015 and 2018. He therefore submitted that subsequent decisions of the District Level Committee dated 4<sup>th</sup> August 2025 and second determination of compensation dated 7<sup>th</sup> August 2025 by the Land Acquisition Officer are illegal and unsustainable. He further submitted, relying upon judgment in *Union of India v. Tarsem Singh*, (2019) 9 SCC 304, that under the scheme of the Maharashtra and National Highways laws, award is not merely an offer but is determination of compensation and therefore contention that award is only an offer is legally untenable.

17. He further submitted that under the Government Resolution, the District Level Committee has two-fold powers, namely to advise generally regarding compensation and to decide valuation for purpose of agreement-based acquisition and that only where the Land Acquisition Officer determines compensation exceeding such advice, approval is required. According to him, in the present case since determination dated 2<sup>nd</sup> September 2024 was approved on 4<sup>th</sup> October 2024, the matter attained finality and if the Government was aggrieved, it ought to have invoked arbitration under Section 19B rather than

interfering administratively. He submitted that intervention by the Collector and reference to the Chief Minister is wholly illegal. He further submitted that even assuming Government was unwilling to pay 25% additional compensation by agreement, the base compensation determined under Section 19B ought to have been paid to landowners.

18. The learned counsel therefore submitted that subsequent decision of the District Level Committee dated 4<sup>th</sup> August 2025, issuance of second notice dated 7<sup>th</sup> August 2025 for fresh determination of compensation and second award dated 29<sup>th</sup> September 2025 are wholly illegal. He submitted that the Maharashtra Highways Act does not contemplate any concept of second determination, second award or review of award. In support of his submissions, he placed reliance upon the judgments in *Radhika Bhalerao vs State of Maharashtra*, 2022 (4) Mh.L.J. 797 and *Centre for PIL v. Union of India*, (2011) 4 SCC 1.

19. Learned Senior Counsel Mr. Surel Shah, appearing for the petitioner in Writ Petition No. 13025 of 2025, submitted that the petitioner, in substance, seeks enforcement of the decision of the District Level Committee dated 4<sup>th</sup> October 2024 and a consequential direction that the determination of compensation arrived at by the Land Acquisition Officer on 2<sup>nd</sup>/3<sup>rd</sup> September 2024 be appropriately drawn up and reflected by way of an award, and in the same breath the

petition also lays a direct challenge to the purported award dated 29<sup>th</sup>/30<sup>th</sup> September 2025 passed by the Land Acquisition Officer. He submitted that the petitioner's land has been acquired for the purpose of a Special State Highway under the Maharashtra State Highways Act. He argued that in all statutory regimes governing compulsory acquisition, the Legislature provides for appointment of a Land Acquisition Officer for the purpose of determining the amount payable as compensation to an expropriated owner, and under the scheme of the Maharashtra State Highways Act it is only the Land Acquisition Officer who is vested with the authority to determine compensation. He further submitted that, unlike the Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the Maharashtra State Highways Act does not contemplate "passing of an award" in the classical sense, and, therefore, the determination of compensation made by the Land Acquisition Officer under the said Act attains finality, subject only to the statutory remedy of arbitration. In that context, he invited attention to Section 19B(8) of the Act which provides that if either party is dissatisfied with the compensation determined by the Land Acquisition Officer, the remedy is to approach the arbitrator, thereby underscoring the legislative intent that the determination made by the Land Acquisition Officer is final and binding unless displaced in

arbitration; consequently, neither the Collector nor the State Government has jurisdiction to sit in review or to modify such determination. He urged that it is a settled principle of law that where the statute mandates a thing to be done in a particular manner, it must be done in that manner and in no other, and in support of this proposition he placed reliance upon the Privy Council decision in *Emperor v. Nazir Ahmad* (1940).

20. The learned Senior Counsel further submitted that the duties discharged by the Land Acquisition Officer under the Maharashtra State Highways Act are quasi-judicial in character, which position, according to him, is well settled. He submitted that the Land Acquisition Officer is required to invite objections to the proposed valuation, grant hearing to persons interested, consider their objections, and then determine compensation by applying the statutory factors enumerated in Section 19B(10) of the said Act. He further contended that Section 19D of the Act vests the Land Acquisition Officer with certain powers of a Civil Court, which further reinforces the quasi-judicial nature of the function. On this premise, it was argued that unless the statute expressly confers a power of review, annulment, reversal or modification, neither the Collector nor the State can assume such power in relation to the determination rendered by the Land Acquisition Officer. He then

submitted that after vesting of land under Section 18(1), and having regard to Section 19A of the Act, it is only the Land Acquisition Officer or the Highway Authority or persons authorised by them who may enter upon the land vested in the Government for purposes connected with the highway, and the Collector has no jurisdiction to visit the lands and conduct any purported survey, that too unilaterally.

21. The learned Senior Counsel also countered the stand of the respondents that in the meeting dated 9<sup>th</sup> June 2023 the compensation determined by the Land Acquisition Officer was approved and, therefore, the subsequent meeting dated 4<sup>th</sup> October 2024, which approved a different compensation, could not be regarded as valid. He submitted that such submission is fallacious for multiple reasons. Firstly, according to him, what was placed before the District Level Committee on 9<sup>th</sup> June 2023 was not a determination of compensation arrived at by the Land Acquisition Officer in accordance with the statutory procedure, but at best a valuation placed for consideration. Secondly, he submitted that no hearing as contemplated under Section 19B(6) was afforded to the landowners prior to the so-called approval on 9<sup>th</sup> June 2023. Thirdly, he pointed out that the notice under Section 19B(6) itself was issued only on 12<sup>th</sup> June 2023, which, in his submission, demonstrates that the statutory process of inviting claims

and hearing could not have been completed prior to 9<sup>th</sup> June 2023. Fourthly, he contended that a perusal of the determination of compensation dated 2<sup>nd</sup>/3<sup>rd</sup> September 2024 would unequivocally show that the Land Acquisition Officer applied his mind to the material on record, adjudicated upon the objections raised by the landowners, and thereafter determined the compensation by a reasoned exercise, as mandated by the Act. He therefore submitted that once such compensation stood determined, if the State was aggrieved, the only course open in law was to invoke the statutory remedy under Section 19B(8) before the arbitrator, and the Collector or the State could not assume the role of an appellate or revisional authority and direct a fresh determination. He submitted that the entire exercise culminating in the impugned award is founded upon the communication dated 10<sup>th</sup> January 2025, which, according to him, is without jurisdiction and is null and void ab initio; and it is a settled principle that if the foundation fails, the superstructure must necessarily fall. Consequently, he submitted that the purported award dated 29<sup>th</sup> September 2025, being without jurisdiction and being the product of the Collector's communication dated 10th January 2025, is liable to be quashed and set aside.

22. The learned Senior Counsel further emphasized that a power of

review is not inherent and must be specifically conferred by statute; therefore, once the Land Acquisition Officer had determined compensation on 2<sup>nd</sup>/3<sup>rd</sup> September 2024, the same Land Acquisition Officer could not have reviewed or altered his own determination on the strength of the communication dated 10<sup>th</sup> January 2025. He further submitted that in the affidavit-in-reply the respondents have themselves admitted that it is only the Land Acquisition Officer who can determine compensation. He then relied upon the respondents' affidavit to contend that what was approved by the District Level Committee was a valuation report, which, according to him, lends credence to the petitioner's submission that on 9<sup>th</sup> June 2023 there was in fact no lawful determination of compensation. He submitted that the Collector, by communication dated 18<sup>th</sup> July 2025, again acted without jurisdiction in directing the Land Acquisition Officer to ignore the meeting dated 4<sup>th</sup> October 2024. Referring to the Collector's affidavit which notes that the Joint Measurement Survey was finalized on 6<sup>th</sup> June 2022 and further asserts that the Collector had already sanctioned compensation on 9<sup>th</sup> June 2023, he submitted that even assuming for the sake of argument, without admitting, that the purported award dated 29<sup>th</sup> September 2025 could be treated as legal and valid, there would then have been no occasion whatsoever to issue a fresh notice under Section 19B(6) dated 7<sup>th</sup> August 2025 and thereafter pass an award on 29<sup>th</sup>

September 2025. He concluded by submitting that the record unmistakably shows that the State Government, for reasons best known to it, has sought to avoid giving effect to the determination of compensation made by the Land Acquisition Officer on 2<sup>nd</sup>/3<sup>rd</sup> September 2024, which stood approved by the District Level Committee, and he accordingly prayed that the petition be allowed.

23. The learned Advocate appearing in Writ Petition No. 5709 of 2025 has tendered written notes of arguments along with a compilation of events and dates and has, in essence, contended that once the Land Acquisition Officer has determined the amount of compensation in exercise of powers under Section 19B(3) of the Maharashtra Highways Act, the same cannot thereafter be modified by any authority. In elaboration of this submission, it has been urged that the determination made by the Land Acquisition Officer was strictly in accordance with the statutory procedure prescribed under Section 19B, which included issuance of notice under Section 19B(6), granting opportunity of hearing to all persons interested, consideration of objections raised by them, obtaining clarifications from the concerned technical and expert departments, and thereafter applying independent mind to the facts of the case, expert opinions and applicable statutory provisions. It is thus submitted that the determination of compensation made by the Land

Acquisition Officer by orders dated 2<sup>nd</sup>/3<sup>rd</sup> September 2024 constitutes the only lawful determination made after following the complete statutory procedure. It is further pointed out that such determination was made in respect of as many as 480 landowners, as reflected from the forwarding letter dated 9<sup>th</sup> September 2024, and that the Land Acquisition Officer also prepared the requisite *PRAPATRA* in accordance with the said determination. The learned Advocate has further submitted that under the scheme of the Act read with Government Resolution dated 29<sup>th</sup> May 2018, once the Land Acquisition Officer determines the compensation, the role of the District Level Committee is limited to deciding whether an additional 25% amount is to be offered to those landowners who are willing to part with their lands by consent, whereas those who do not consent are required to be paid compensation strictly in accordance with the determination made by the Land Acquisition Officer, and that there exists no provision enabling the Land Acquisition Officer to thereafter modify such determination.

24. The second principal contention raised in the written notes is that the Hon'ble Chief Minister has no authority in law to issue any directions in the matter of determination or payment of compensation. In support of this contention, it is submitted that the power vested in the Land Acquisition Officer under Section 19B(3) to determine

compensation is quasi judicial in nature, particularly in view of Section 19D of the Act which confers upon the Land Acquisition Officer powers akin to those of a Civil Court for purposes of the Act. It is therefore contended that there is no provision in the statute conferring authority upon any superior administrative officer or even the Hon'ble Chief Minister to issue directions with respect to determination of compensation, which, according to the learned Advocate, falls exclusively within the domain of the Land Acquisition Officer. It is thus submitted that the alleged oral directions of the Hon'ble Chief Minister in a review or war room meeting, and the consequent communication dated 10<sup>th</sup> January 2025 issued by the Collector directing the Land Acquisition Officer to re-determine compensation in accordance with such directions, are wholly illegal and de hors the provisions of the Act and are therefore liable to be ignored for all legal purposes. It is further submitted that since the entire subsequent process undertaken by the respondent authorities after issuance of the communication dated 10<sup>th</sup> January 2025 is founded upon such alleged oral directions, the entire process stands vitiated in law.

25. The learned Advocate has further contended that the authorities had no jurisdiction to pass what has been described as a "second award". In support of this submission, it is contended that once the

Land Acquisition Officer had determined the amount of compensation and the same was approved in the meeting of the District Level Committee dated 4<sup>th</sup> October 2024, the authorities could not have convened a second meeting for the purpose of modifying such determination. It is further submitted that even assuming, without conceding, that the District Level Committee in its meeting dated 4<sup>th</sup> October 2024 had not approved the determination made by the Land Acquisition Officer by order dated 2<sup>nd</sup>/3<sup>rd</sup> September 2024, the only option available to the authorities would have been to decline payment of the additional 25% incentive amount and to pay compensation strictly as determined by the Land Acquisition Officer. The learned Advocate has further submitted that once the landowners had conveyed their consent to the decision taken in the meeting dated 4<sup>th</sup> October 2024, there could be no alteration in the compensation proposal thereafter. According to him, under the Government Resolutions dated 12<sup>th</sup> May 2015 and 29<sup>th</sup> May 2018, once a decision is taken in the meeting of the District Level Committee and the same is consented to by the landowners, no subsequent change in the compensation amount is permissible, particularly because the acquisition in such cases is by way of agreement and any compensation amount not acceptable to the landowners cannot be unilaterally imposed upon them.

26. The learned Advocate has also addressed the contention raised on behalf of the Collector that the report submitted by the District Superintendent Agricultural Officer was vague and therefore not acceptable and that for this reason the proceedings of the meeting dated 4th October 2024 were not signed by certain members. It is submitted that no such discussion regarding alleged vagueness of the report of the District Superintendent Agricultural Officer is reflected in the proceedings of the meeting dated 4<sup>th</sup> October 2024. It is further contended that, in any event, the report of the Agricultural Officer was not directly under consideration before the Committee; rather, what was placed before the Committee was the proposal submitted by the Land Acquisition Officer who had determined compensation by following the statutory procedure under Section 19B(3), and it was that proposal which was considered by the Committee. On the basis of these submissions, the learned Advocate has prayed that the petitions be allowed.

27. In Writ Petition No. 13740 of 2025, the petitioner has tendered written submissions which, as noted, substantially reiterate the line of argument canvassed by the other petitioners and their learned senior counsel.

28. On behalf of the Maharashtra State Road Development

Corporation, learned Senior Counsel Mr. Vijay Patil opposed the petitions and submitted that the controversy sought to be raised regarding the role and powers of the District Level Committee under the Government Resolution dated 12<sup>th</sup> May 2015 and the Government Order dated 29<sup>th</sup> May 2018 is no longer *res integra*, having been squarely considered and concluded by a Division Bench of this Court in ***Vidhyadhar Gajanan More v. State of Maharashtra***, Mh.L.J. 2025 (4) 470. Placing reliance particularly on paragraphs 40 to 44 of the said judgment, he submitted that the Division Bench has categorically held that there is no legal impediment to the Land Acquisition Officer proceeding to make determination of compensation in the manner contemplated by the statute after the State has made efforts to arrive at an agreement with the landholders and such efforts have failed. He further submitted that in the said decision the Division Bench specifically framed and answered the issue whether the award/determination made by the Land Acquisition Officer could be set aside in writ jurisdiction under Article 226 on grounds such as the Land Acquisition Officer having taken aid of Government Resolutions, relied upon reports of the District Level Committee, ignored the provisions of Schedules I and II of the 2013 Act, applied an incorrect multiplier, or adopted an incorrect belting system, when the statute itself provides a remedy under Section 19B(8) by way of recourse to arbitration if either

party is dissatisfied with the compensation determined. Inviting attention to paragraphs 61 to 63 of the said judgment, he submitted that the Division Bench has held that such grievances essentially pertain to dissatisfaction with compensation and can be agitated before the arbitrator; that Section 19B(10) exhaustively enumerates the principles relevant to determination of compensation and applies equally to the Land Acquisition Officer and the arbitrator; that extraordinary jurisdiction under Article 226 ought not to be invoked for such purposes; and that even allegations that the Land Acquisition Officer acted under dictation of the District Level Committee or was guided by Government Resolutions do not, by themselves, furnish a ground to set aside the award, at the highest constituting contentions to be urged before the arbitrator, particularly when the statute provides a specific remedy and the Court would otherwise be required to enter upon disputed questions of fact.

29. On the strength of the aforesaid legal position, Mr. Patil submitted that the District Level Committee performs, at best, an assisting and recommendatory role and that the statutory obligation of determining compensation rests with the Land Acquisition Officer, who may take guidance from recommendations of the District Level Committee in the backdrop of Section 19B(3) of the Maharashtra

Highways Act, 1955; however, it remains for the Land Acquisition Officer to proceed in accordance with law and to pass the appropriate award/determination, whether on consent under Section 19B(2) or otherwise under Section 19B(3). He then submitted that the petitioners' heavy reliance on the order dated 2<sup>nd</sup> September 2024, projected as a quasi-judicial determination, is misconceived, as according to him the said order merely disposes of objections of sixteen landowners and does not amount to determination of compensation so as to constitute a statutory offer capable of enforcement. On the same reasoning, he submitted that the alleged proceedings of the District Level Committee meeting dated 4<sup>th</sup> October 2024 do not create any enforceable right in favour of the petitioners, the minutes being incomplete and, in any event, never having been communicated as an operative decision; rather, according to him, they remained at the level of internal notings and were procured by the petitioners under the Right to Information Act, 2005. He placed reliance on the judgments of the Supreme Court in *Pimpri Chinchwad New Township Development Authority v. Vishnu Dev Cooperative Housing Society*, AIR 2018 SC 3656, *Shanti Sports Club v. Union of India*, 2010 AIR SC 433, *Union of India v. Kartik Chandra Mandal*, (2010 AIR SC 3455) and *State of Bihar v. Tripalu Shankar* 1987 AIR SC 1554, to contend that internal file notings or incomplete minutes do not confer legally enforceable rights and that the

petitioners cannot, on such basis, seek a writ of implementation.

30. Mr. Patil further submitted that, in pith and substance, the petitioners' grievance is directed against the valuation of their acquired lands and the things situated thereon, and such grievance is required to be redressed in accordance with the mechanism prescribed in Section 19B(8), (9) and (10) of the Act by approaching the arbitrator. In support, he placed reliance on orders passed by this Court in ***Real Ventures Investment LLP v. State of Maharashtra*** in Writ Petition No. 1810 of 2024 decided on 21st August 2024 and ***Sopan Venu Gaikwad v. State of Maharashtra*** in Writ Petition No. 15001 of 2023 decided on 1<sup>st</sup> January 2024. He also disputed the submission advanced on behalf of the petitioners that the meeting dated 9<sup>th</sup> June 2023 was vitiated for want of notice or hearing to the landowners, contending that the law does not contemplate such a requirement at the stage of the District Level Committee and that compliance of Section 19B(6) and (7) was, in any case, effected in the present acquisition proceedings. He likewise refuted the contention that the award dated 29<sup>th</sup> September 2025 constitutes a "second award" impermissible in law, submitting that the award dated 29<sup>th</sup> September 2025 is, according to him, the only award in respect of the lands concerned, and that no earlier award under Section 19B(3) had been passed. He further submitted that the

argument advanced by the petitioners that the State/MSRDC ought to have approached the arbitrator against the order dated 2nd September 2024 or the alleged proceedings dated 4<sup>th</sup> October 2024 is unsustainable because arbitration under Section 19B(8) arises only after a determination of compensation under Section 19B(3), and neither the order dated 2<sup>nd</sup> September 2024 nor the proceedings dated 4<sup>th</sup> October 2024 can, according to him, be treated as such determination.

31. Mr. Patil also addressed the meeting of the District Level Committee dated 4th August 2025, submitting that the said meeting was convened to recommend changes in the classification of certain lands from *jirayat* to seasonal *bagayat* and thereby to recommend higher valuation, which was, in effect, more beneficial to landowners, and therefore the grievance raised regarding such meeting is without merit. Referring to the affidavit-in-reply filed on behalf of Respondent No. 5, he submitted that the challenge to the Collector's communication dated 10<sup>th</sup> January 2025 is misconceived, as no consent award or compulsory award had been passed as on that date and, therefore, no cause of action had accrued to invoke the extraordinary jurisdiction of this Court; he submitted that no fundamental or legal right of the petitioners stood violated. He further submitted that MSRDC, being the Highway Authority and acquiring body under the Act, had initially not

been impleaded by the petitioners, and that the petition itself was thus defective at inception. He also asserted that it was incorrect to contend that by order dated 2<sup>nd</sup> September 2024 the Land Acquisition Officer quantified and finally determined compensation payable to the petitioners.

32. On the aspect of the communication dated 10<sup>th</sup> January 2025, Mr. Patil submitted that the Office of the Hon'ble Chief Minister, in a review meeting concerning the project, had emphasized that awards for the project should be passed in accordance with law on the basis of correct valuation reports and that officials involved in preparation of false or fabricated valuation reports should face departmental enquiry. He submitted that the Collector's communication dated 10<sup>th</sup> January 2025, issued pursuant to such directions, was purely administrative in nature and cannot be construed as overruling any quasi-judicial order. He then sought to justify the genesis of the revised valuation by submitting that after the final notification and Joint Measurement exercise, valuation reports of fruit trees dated 10<sup>th</sup> April 2023 and 17<sup>th</sup> April 2023 were submitted, but were found to be false or not reflective of the actual field position in respect of certain lands; consequently, the valuation was directed to be re-verified through a different process and the Agricultural Department submitted a revised report dated 23rd May

2023 indicating saplings where earlier reports had indicated mature trees. According to him, this revised report was considered by the District Level Committee and unanimously approved in the meeting dated 9<sup>th</sup> June 2023. He further submitted that after issuance of the preliminary notification under Section 15(2) on 26<sup>th</sup> November 2021 and completion of joint measurement, the declaration under Section 18 was published on 3<sup>rd</sup> November 2022 and thereafter valuation reports were submitted in April 2023; however, on noticing serious irregularities regarding number and age of trees, the Sub-Divisional Officer, Selu referred the reports for re-verification and reported to the Collector, whereupon a committee under the chairmanship of the Deputy Collector was appointed and inspection was conducted, followed by the direction to the Agricultural Department to submit a corrected valuation report. He submitted that the revised report dated 23<sup>rd</sup> May 2023 was thereafter acted upon; a proposal was submitted by the competent authority to the District Level Committee; and the same was approved in its meeting dated 9<sup>th</sup> June 2023. He contended that the District Level Committee does not itself determine compensation and, therefore, there was no requirement to issue notice to landowners in relation to the revised valuation report at that stage; thereafter, notices under Section 19B(6) and (7) were issued depicting compensation details approved and the landowners lodged their claims disputing

compensation, particularly in relation to fruit trees.

33. He further submitted that upon transfer of the earlier Land Acquisition Officer, the successor officer, instead of proceeding to pass the award on the basis of rates approved on 9<sup>th</sup> June 2023, entered into correspondence and proceeded to accept objections of agriculturists by communication dated 2<sup>nd</sup> September 2024 to consider the earlier valuation reports of 10<sup>th</sup> April 2023 and 17<sup>th</sup> April 2023, and then submitted a fresh proposal dated 9<sup>th</sup> September 2024 to the District Level Committee, which, according to him, was unnecessary, unwarranted and contrary to law because the District Level Committee proceedings had already been finalized on 9<sup>th</sup> June 2023. In that context, he submitted that the subsequent so-called proceedings of the District Level Committee dated 4<sup>th</sup> October 2024 had no legal effect as the minutes were not approved or signed by the Chairman, namely the Collector, and that the representative of MSRDC was also not present and had not signed; hence, according to him, those proceedings could not confer any enforceable right. He accordingly submitted that the petitioners' letter dated 7<sup>th</sup> January 2025 claiming consent to such proceedings was illogical and incapable of creating rights, since the meeting of 4<sup>th</sup> October 2024 did not culminate into a final decision.

34. Mr. Patil also sought to demonstrate the magnitude of alleged discrepancy in valuation. He submitted that for the remaining acquisition of about 204.34 hectares said to contain orchards, the first valuation reports dated 10<sup>th</sup> April 2023 and 17<sup>th</sup> April 2023 reflected valuation of fruit trees to the tune of approximately Rs.416.27 crores, which, according to him, was exorbitant and wholly inconsistent with ground realities. The revised report dated 23<sup>rd</sup> May 2023, on the other hand, reflected valuation of about Rs.9.17 crores, revealing, according to him, a startling difference of about Rs.407.10 crores, which necessitated administrative intervention. He submitted that in view of such perceived misconduct, the then Collector recommended departmental enquiry against erring agricultural officials by proposal dated 16<sup>th</sup> June 2023 to the Principal Secretary, Agriculture Department, Mumbai, and that in contemplation of such enquiry the concerned officials were suspended. He further submitted that despite the earlier reports having been discarded and the revised report having been accepted on 9<sup>th</sup> June 2023, the in-charge District Agricultural Officer by communication dated 30<sup>th</sup> August 2024 surprisingly suggested acceptance of the earlier valuation reports, which, according to him, itself reflected the state of affairs in the department.

35. On the basis of the aforesaid, Mr. Patil contended that the petitioners have failed to demonstrate any enforceable legal right or any corresponding statutory obligation on the respondents capable of being enforced in writ jurisdiction. According to him, the petition proceeds on assumptions and attempts to conflate the concepts of a consent acquisition and compulsory acquisition, whereas a consent award can arise only upon consensus between the competent authority, the acquiring body and the landowners; the petitioners cannot insist upon a consent award on their own terms. If the landowners are dissatisfied with compensation determined in a compulsory process, their remedy lies in the statutory framework, including recourse to arbitration, and not in seeking implementation of incomplete minutes or challenging an administrative communication. He therefore submitted that in the facts and circumstances, the challenge to the Collector's letter dated 10th January 2025, being a mere administrative direction intended to adhere to the compensation approved in the District Level Committee meeting dated 9th June 2023, is misconceived; that the petition raises no justiciable grievance; and that the writ petitions deserve dismissal, reiterating his reliance on the authorities in *Pimpri Chinchwad New Township Development Authority* (supra), *Shanti Sports Club* (supra), *Kartik Chandra Mandal* (supra) and *Tripalu Shankar* (supra).

36. The learned Advocate General appearing for the State, while opposing the petitions, drew our attention to the chronology of events culminating in the passing of the award and, with reference to the relevant provisions of the Maharashtra Highways Act, 1955, submitted that the respondent authorities are empowered to acquire land under Section 15 of the said Act and that the procedure governing such acquisition is statutorily prescribed in Sections 16 to 19C. After advertng to the notifications and documents placed on record, he submitted that there is no dispute that the acquisition is for a public purpose and that, significantly, there is no challenge to the acquisition as such. According to the learned Advocate General, the controversy, if at all, pertains to the determination of compensation and the procedure followed in that regard. He submitted that Section 19B lays down a complete mechanism for determination of compensation by the Land Acquisition Officer, and that before proceeding to determine the compensation, the Land Acquisition Officer is required to issue public notice and call upon persons interested to submit their claims and appear, as contemplated under Section 19B(6) and (7). He submitted that the statutory notice under Section 19B(6) and (7), followed by consideration of claims and hearing, results in the Land Acquisition Officer determining the valuation of the acquired land and making an offer thereof to the landowners, who may accept the same. He

submitted that if the offer so made is accepted by the landowners, the acquisition may proceed by consent and a consent award can be made in terms of Section 19B(2). Conversely, where the landowners do not consent to the amount offered, the Land Acquisition Officer proceeds to determine the compensation and pass a compulsory award under Section 19B(3). He further submitted that while determining the valuation, the Land Acquisition Officer is required to take into consideration the statutory factors enumerated under Section 19B(10) of the Act.

37. The learned Advocate General then submitted that the District Level Committee constituted by the State Government under the Government Resolution dated 12<sup>th</sup> May 2015, and made applicable to highway acquisitions by the Government Order dated 29<sup>th</sup> May 2018, is only a mechanism intended to assist the Land Acquisition Officer in the administrative process and does not supplant the statutory role of the Land Acquisition Officer. He submitted that the minutes of the District Level Committee are, at best, recommendatory and intended for such assistance and that, in view of the scheme of Section 19B(3), the Land Acquisition Officer is not bound to accept the recommendations of the District Level Committee. In any case, he submitted, once the District Level Committee's recommendations are placed before the Land

Acquisition Officer, what is contemplated in law is that an offer must be duly made to the landowners for obtaining their consent so that, if accepted, an award under Section 19B(2) could follow. He emphasized that the minutes of the District Level Committee, by themselves, do not create any actionable right or enforceable claim in favour of anyone, and cannot be treated as a statutory offer capable of acceptance so as to compel making of a consent award.

38. With respect to the communication dated 2<sup>nd</sup> September 2024 relied upon by the petitioners, the learned Advocate General submitted that the said communication represents nothing more than disposal of objections raised by landowners pursuant to the notices issued under Section 19B(6) and (7). He submitted that for acquisition by consent under Section 19B(2), the statute contemplates a clear offer by the competent authority and an unambiguous acceptance resulting in an agreement; only upon such agreement can a consent award be made. He therefore submitted that the petitioners' contention that the communication dated 2<sup>nd</sup> September 2024 is a quasi-judicial order which must be enforced is misconceived. According to him, the communication is in the nature of an administrative order and, in substance, rejects the objections raised by the petitioners; the legal consequence of such rejection, he submitted, would ordinarily be that

the process moves towards a compulsory award under Section 19B(3). He contended that the said communication cannot, by any stretch, be construed as an offer of a particular valuation capable of acceptance by the petitioners. He further pointed out that the petitioners themselves did not, on the basis of the communication dated 2<sup>nd</sup> September 2024, assert acceptance of any offer or demand issuance of a consent award; rather, their case of alleged offer and acceptance is sought to be constructed only with reference to the District Level Committee meeting dated 4<sup>th</sup> October 2024, which, according to him, undermines their attempt to found enforceable rights on the communication dated 2<sup>nd</sup> September 2024.

39. The learned Advocate General further submitted that the petitioners' case, in essence, is that upon obtaining, through the Right to Information Act, what they describe as minutes of the District Level Committee meeting dated 4<sup>th</sup> October 2024, which were never communicated to them as an operative decision, the petitioners then addressed a letter dated 7<sup>th</sup> January (as stated by the petitioners) purporting to accept the valuation allegedly discussed by the District Level Committee in the meeting of 4<sup>th</sup> October 2024. On that basis, the petitioners contend that there was an offer and acceptance resulting in a binding agreement and consequently a consent award under Section

19B(2) is required to be made. The learned Advocate General submitted that such a submission cannot be sustained either on the scheme of the Maharashtra Highways Act or even on elementary principles governing formation of contract. He submitted that, even under general contract law, an agreement must be founded on a clear and lawful offer and an unconditional acceptance in the manner contemplated by law, and that a unilateral letter by a landowner purporting to “accept” an internal or incomplete set of minutes not communicated as an offer cannot be elevated to a binding agreement, much less a statutory agreement warranting a consent award under Section 19B(2).

40. Lastly, the learned Advocate General submitted that the petitioners’ primary grievance is essentially about valuation and adequacy of compensation and that such grievance is specifically redressable only through the statutory remedy under Section 19B(8), read with sub-sections (9) and (10), by seeking determination of compensation by the arbitrator appointed by the State Government. He submitted that such disputes cannot be converted into writ issues and adjudicated in the extraordinary jurisdiction of this Court under Article 226. In support of his submissions, he relied upon the decisions in ***Real Ventures Investment LLP v. State of Maharashtra*** (supra) and ***Sopan Venu Gaikwad v. State of Maharashtra*** (supra) and, on the basis of the

aforesaid, prayed for dismissal of the petitions.

41. From the standpoint of constitutional and statutory adjudication, the petitions, when examined holistically, disclose a dispute that is essentially rooted in compensation methodology, administrative process sequencing, and competing interpretations of the role of the District Level Committee vis-à-vis the statutory authority of the Land Acquisition Officer under Section 19B of the Maharashtra Highways Act, rather than any challenge to the legality of the acquisition itself. The lands of the petitioners were notified for acquisition for a major public infrastructure project- the Jalna–Nanded Super Expressway forming part of the Samruddhi corridor, and vesting has already occurred pursuant to statutory notifications. The litigation therefore arises in the post-vesting phase and is directed primarily against the communication dated 10<sup>th</sup> January 2025 and the subsequent award dated 29<sup>th</sup> September 2025.

42. We have considered the arguments of both the parties and have also perused the documents placed on record pertaining to the process of acquisition till passing of impugned award. In order to appreciate the issues involved, firstly, we place on record the legal position that negotiates the subject acquisition. The statutory framework demonstrates that once the notification and vesting stages are crossed,

the legislative intent shifts to ensuring structured determination of compensation through a specialized statutory mechanism. The Government Orders of 2015 and 2018, when read together, do not dilute the statutory authority of the Land Acquisition Officer but only create an administrative architecture for facilitation of agreement-based acquisition and grant of an additional 25% incentive in cases of consent acquisition. The District Level Committee, though important in policy implementation, operates within a Government Resolution domain and not as a statutory adjudicatory authority under the Act. Thus, any attempt to elevate its internal decisions or minutes to the level of enforceable statutory determinations would run contrary to the statutory scheme.

43. The factual narrative itself reveals that the compensation determination process was not static but evolved through multiple valuation inputs, including Joint Measurement Survey based valuation and subsequent valuation exercises. The petitioners' principal grievance that a second valuation report was prepared and relied upon without hearing may at best demonstrate procedural irregularity at an intermediate stage, but not a jurisdictional nullity. The record shows that thereafter hearings were conducted by the Land Acquisition Officer and objections were considered, thereby substantially curing any earlier

procedural lapse. In administrative law, particularly in acquisition matters involving large infrastructure projects, courts have consistently distinguished between curable procedural irregularities and jurisdiction-destroying illegality. The present case, on the material placed, falls in the former category.

44. The argument of the petitioners that the determination dated 6<sup>th</sup> September 2024 attained irrevocable finality upon alleged acceptance by the District Level Committee on 4<sup>th</sup> October 2024 is not sustainable in law. Firstly, the statute does not contemplate finality attaching to any step unless it culminates in a statutory determination/award recognizable under Section 19B. Secondly, internal administrative acceptance or committee level approval cannot create vested enforceable rights against the State, particularly where the process of final award preparation and statutory formalization is still underway. The doctrine of promissory estoppel cannot be invoked to compel the State to act contrary to statute or to freeze a statutory determination process at a non-statutory stage.

45. The Collector's communication dated 10<sup>th</sup> January 2025, even if it referred to policy level review meetings, cannot *ipso facto* be read as unlawful interference with quasi-judicial powers unless it is shown that the Land Acquisition Officer acted mechanically without independent

application of mind. The petition material does not conclusively establish such abdication of statutory duty. In large public acquisition projects, inter-departmental coordination, policy review meetings, and administrative supervision are not per se illegal so long as the statutory authority ultimately exercises independent decision-making. The mere existence of higher level policy direction does not vitiate the decision unless it demonstrably substitutes statutory satisfaction with executive command, which is not decisively established here.

46. Further, the submission that the Maharashtra Highways Act does not contemplate any second determination or second award is an oversimplified reading of the statute. Where the process has not culminated in a legally finalized determination or where earlier steps are found administratively incomplete or inconsistent with policy or statutory requirements, the authority is not rendered *functus officio*. Particularly in special acquisition statutes distinct from the classical Land Acquisition Act structure, compensation determination is an integrated administrative-statutory exercise culminating only upon final statutory expression. Thus, subsequent determination or re-working of compensation prior to final crystallization cannot automatically be labelled as review or second award in the prohibited sense.

47. Equally significant is the availability of a complete statutory remedial mechanism. Section 19B itself provides for arbitration as the primary dispute resolution forum for compensation disputes. The Supreme Court and High Courts have repeatedly held that where the dispute substantially concerns adequacy, methodology, or components of compensation, writ jurisdiction should be exercised with restraint and parties should be relegated to statutory forums unless there is patent lack of jurisdiction, fraud, or violation of fundamental procedural safeguards. In the present case, the challenge substantially attacks valuation choice, reliance on one report versus another, and the timing of determination and all these issues squarely falling within arbitral scrutiny rather than constitutional adjudication.

48. From the perspective of judicial review under Article 226, the court is not required to sit as an appellate authority over compensation calculation or internal administrative decision-making sequences. The court's concern is limited to legality, jurisdiction, and procedural fairness. On the available record, the acquisition is lawful, vesting is complete, compensation determination process was undertaken through statutory machinery, hearings were eventually afforded, and a final award has been passed. At best, the petitioners have demonstrated disagreement with the compensation methodology and the decision to rely on a particular valuation framework. Such grievance is remediable

under the statutory arbitration framework and does not justify exercise of extraordinary writ jurisdiction.

49. The balance of public interest also weighs significantly. The acquisition relates to a major expressway project forming part of a larger state infrastructure corridor. Courts have consistently held that once acquisition has substantially progressed and public projects are underway, interference at compensation stage must be minimal unless illegality is manifest and irreparable. Granting relief on the grounds urged would effectively convert writ jurisdiction into a supervisory forum over each stage of compensation administration, which is neither contemplated by the statute nor supported by settled constitutional jurisprudence.

50. Viewed cumulatively, therefore, the petitions do not disclose grounds warranting interference in writ jurisdiction. The petitioners have an efficacious alternate remedy under the statute; there is no jurisdictional error of a magnitude warranting constitutional interference is demonstrated and the administrative actions complained of do not, on the record, rise to the level of illegality that would vitiate the final award. The proper course is to dismiss the petitions while preserving liberty of the petitioners to pursue statutory remedies available in law.

51. In view of the foregoing discussion, this Court is of the considered opinion that the challenge raised in the present petitions is essentially directed against the process and outcome of determination of compensation and the sequence of administrative and statutory steps leading to the passing of the final award. The material placed on record does not demonstrate any jurisdictional infirmity, patent illegality, or violation of principles of natural justice of such magnitude as would warrant exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The acquisition proceedings have attained finality insofar as vesting of lands is concerned, and the statutory mechanism for determination of compensation has achieved finality under the governing statute. We find no reason to enter in the dispute of nomenclature used on the document dated 29<sup>th</sup> September 2026. As to whether it is an award or determination of compensation? Document itself admittedly shows determination of compensation to be paid to the land owners which in itself is self explanatory document and nothing changes in favour of petitioners if the document is termed as award.

52. The reliance placed by the petitioners on internal administrative decisions, committee level deliberations, or earlier stages of the decision-making process cannot, in law, create an enforceable right capable of being enforced in writ jurisdiction, particularly when the

statutory process has culminated in a formal determination. Equally, the plea founded on alleged consent or estoppel cannot override the statutory scheme governing acquisition and compensation. The Court is also mindful that the statute itself provides a complete and efficacious remedial framework for adjudication of disputes relating to compensation, and it would be inappropriate for this Court to convert writ jurisdiction into an appellate forum over valuation or compensation determination.

53. It is well settled that judicial review in acquisition matters, particularly at the stage of compensation determination, is limited to examination of legality, jurisdiction and procedural fairness, and does not extend to re-appreciation of technical valuation material or substitution of the Court's view for that of the statutory authority. On the facts of the present case, the grievance of the petitioners, at its highest, relates to the basis of methodology of compensation determination, which is a matter falling squarely within the statutory dispute resolution mechanism available under the Act.

54. This Court is also required to balance individual grievances with larger public interest. The acquisition in question relates to a major public infrastructure project of considerable public importance. Interference at this stage, in absence of clear illegality, would run

contrary to the settled principles governing judicial restraint in matters of public acquisition where statutory processes have substantially progressed.

55. For all the aforesaid reasons, this Court finds no merit in the petitions. Hence, we proceed to pass the following order:

### **ORDER**

- (i) All the above Writ Petitions, being devoid of merit, are dismissed.
- (ii) The challenge to the communication dated 10<sup>th</sup> January 2025 and the award dated 29<sup>th</sup> September 2025 impugned in all the petitions fails and stand rejected.
- (iii) It is clarified that this Court has not examined the merits of the quantum of compensation, methodology of determination of compensation and it shall be open to the petitioners to avail such statutory remedies as may be available to them under the relevant provisions of the Maharashtra Highways Act, 1955, including remedy of arbitration, if so advised and in accordance with law.
- (iv) All interim orders, if any, stand vacated.
- (v) Rule is discharged.
- (vi) There shall be no order as to costs.

**[ HITEN S. VENEGAVKAR ]**  
**JUDGE**

**[ SMT. VIBHA KANKANWADI ]**  
**JUDGE**

**LATER ON:**

56. After pronouncement of the judgment, learned advocate Mr. Kachare appearing for the petitioners in Writ Petition No.13024 of 2025 prays that the interim relief which was operating in favour of the petitioners since 15.10.2025, should be continued for a period of eight (8) weeks from today so as to enable the petitioners to approach the Hon'ble Supreme Court for challenging the judgment and order passed by this Court today. Mr. Kale, learned advocate for the petitioners in Writ Petition No. 13018 of 2025 and connected petitions, submits that the petitioners apprehend that the authorities may take possession of their lands without following the due procedure of law as contemplated under Section 19P of the Maharashtra Highways Act, 1955. It is contended that the authorities may hastily take possession without payment of compensation, and here he has prayed for directions to the authorities to follow the due process of law.

57. We have heard the learned Counsel appearing for the respective sets of petitioners and the learned Government Pleader appearing for the State.

58. Insofar as the request made by learned Advocate Mr. Kachare, appearing for the petitioners in Writ Petition No.13024 of 2025, for continuation of the interim relief is concerned, we have carefully

perused the interim order dated 15.10.2025 passed by this Court, which reads thus:

- “.
- Learned Advocate for petitioner states that now the Award has been passed and possession of lands would be taken which is against the agreement that was entered into. Learned Advocate for respondent No.3 disputes that there was an agreement. But he states that the Award has been drawn and further proceedings would be taken up.*
- 2     *It appears that on 24.03.2025 this Court has specifically observed that there is no reason to stay the operation of impugned communication dated 10.01.2025, but prior to that taking into consideration the contention by petitioner that if there is already an agreement any subsequent communication like impugned order dated 10.01.2025 would not matter. The terms of the contract cannot be altered unilaterally so as to adversely affect the rights of petitioner based on the agreement allegedly entered.*
- 3     *The dispute mainly appears is in respect of amount of compensation, because there appears to be no resistance as such for the acquisition. Every holder of the land is definitely entitled to get fair compensation. But taking into consideration the fact that now the Award is passed and the further proceedings appears to have not been started, we direct that no further proceedings be taken up till 11.11.2025.*
- 4     *Place the matters for further consideration at 3.30 p.m. on 11.11.2025.”*

59. By the said order, the respondent authorities were directed not to proceed further towards taking physical possession of the acquired land from the petitioners while the challenge to the award was under consideration. The interim protection was thus limited in scope and was granted at a stage when the validity of the award and the issues connected therewith were sub judice before this Court.

60. At the outset, we make it clear that none of the petitions before us have challenged the legality or validity of the acquisition proceedings initiated under the provisions of the Maharashtra Highways Act, 1955. What has been challenged is only the quantum of compensation and the methodology adopted for its determination. It is an admitted position that the acquisition proceedings, including the vesting of the acquired lands, have attained finality and now what is left is the statutory obligation of payment of compensation in accordance with law.

61. The interim order dated 15.10.2025 restrained the respondents from taking physical possession of the acquired lands while the challenge to the award was pending before this Court on the ground of the methodology adopted by the respondent authorities in determining the amount of compensation. In such circumstances, continuation of the interim relief would effectively stall the concluded acquisition undertaken for a public project of substantial importance, which has already been delayed since the date of notification for acquisition. On the contrary, permitting the respondents to proceed further would not prejudice the petitioners' statutory remedies in respect of compensation or their right to avail of further legal remedies, including approaching the Hon'ble Supreme Court. On the other hand, any further delay would result in escalation of project costs and continued accrual of statutory

interest on compensation amounts running into crores, thereby burdening the public exchequer.

62. As regards the apprehension expressed by learned Advocate Mr. Kale, appearing for the petitioners in Writ Petition No.13027 of 2025 and the companion matters is concerned, Section 19P of the Maharashtra Highways Act, 1955 contemplates that possession of the acquired land must be taken strictly in accordance with the statutory scheme, which necessarily requires compliance with the provisions relating to payment of compensation to the landowners or persons interested.

63. Considering that compensation is required to be disbursed to numerous landowners and that the process itself would take time, the petitioners would have adequate opportunity to pursue appropriate remedies in accordance with law. Even otherwise, merely because physical possession of the acquired lands is taken over by the respondent authorities, it would not have any bearing on the issues and disputes raised by the petitioners in respect of the quantum of compensation and the methodology adopted by the respondent authorities while determining the compensation.

{76}

64. In view of the above, the request for continuation of the interim relief stands rejected. However, it is clarified that the respondent authorities shall strictly comply with the provisions of the Maharashtra Highways Act, 1955 and the applicable Rules while proceeding to take physical possession of the acquired lands.

**[ HITEN S. VENEGAVKAR ]**  
**JUDGE**

**[ SMT. VIBHA KANKANWADI ]**  
**JUDGE**

S P Rane