



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO.14976 OF 2025

MOHSIN KHAN AALAM KHAN PATHAN AND ANOTHER
VERSUS
GOVERNMENT OF INDIA AND OTHERS

...

Mr. A.B. Kale, Advocate for petitioners

Mr. R.R. Bangar, Advocate for respondent Nos.1 and 4

Mr. S.K. Tambe, AGP for respondent No.2

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 22nd JANUARY, 2026

ORDER :

. Heard learned Advocate for petitioners. It appears that petitioners have filed proceedings before Arbitrator bearing LAR No./LAWAD Reference No.338/2028 under Section 3-G(5) of National Highway Act and the Arbitration and Conciliation Act, 1996, thereby the entire Award has been challenged. Now, the learned Advocate for petitioners submits that the vacant area was not considered while passing the Award by competent authority and procedure for valuation of open area was not followed.

2 When the entire Award that was passed by respondent No.4 on 13.04.2016 is the subject-matter before the learned Arbitrator, we do not find this to be a fit case where we should exercise our powers under Article 226 of the Constitution of India and, therefore, the writ petition stands dismissed.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd