



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY  
BENCH AT AURANGABAD**

**908 ARBITRATION APPEAL NO. 72 OF 2025**

National Highways Authority Of India Through Its Project Director

VERSUS

Sudam Madhavrao Bobade And Another

...

Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.3 : Mr. R. S. Sarvadnya

Advocate for Respondents No.1 and 2 : Mr. Tushar Shinde h/f Mr. Shinde  
Chandrakant K.

...

**WITH**

**CIVIL APPLICATION NO. 12380 OF 2025**

**IN ARBA/72/2025**

...

**AND**

**909 ARBITRATION APPEAL NO. 73 OF 2025**

Project Director, National Highway Authority Of India

VERSUS

Damodhar Ashruba Sapkal And Anr.

...

Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.2 : Mr. R.B. Bagul

Advocate for Respondent No.1 : Mr. Sarvadnya Rohit s.

...

**WITH**

**CIVIL APPLICATION NO. 12382 OF 2025**

...

**953 ARBITRATION APPEAL NO. 82 OF 2025**

National Highways Authority Of India Through Its Project Director

VERSUS

Raosaheb Madhavrao Bobade Died Through Lrs Bhausaheb Raosaheb Bobade  
And Others

...

Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.5 : Ms. Mayuri G. Kasturkar

...

**WITH**

**CIVIL APPLICATION NO. 12410 OF 2025**

**IN ARBA/82/2025**

...

**AND**

**954 ARBITRATION APPEAL NO. 83 OF 2025**

National Highways Authority Of India Through Its Project Director

VERSUS

Kachrulaji Bastimal Jain And Others

...  
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao  
Advocate for Respondent No.4 : Mr. Rajesh H. Mewara  
Advocate for Respondents No.2 and 3: Mr. Kunal Kale

...  
**WITH**  
**CIVIL APPLICATION NO. 12412 OF 2025**  
**IN ARBA/83/2025**

...  
**AND**  
**955 ARBITRATION APPEAL NO. 84 OF 2025**

The Project Director The National Highways Authority Of India  
VERSUS  
Jyoti Dilichend Lodha And Others

...  
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao  
Advocate for Respondent No.3 : Mr. N. T. Bhagat  
Advocate for Respondent No.1 : Ms. Jyoti D. Lodha

...  
**WITH**  
**CIVIL APPLICATION NO. 12415 OF 2025**  
**IN ARBA/84/2025**

...  
**AND**  
**ARBITRATION APPEAL NO. 74 OF 2025**

The National Highways Authority Of India Through its Project Director  
VERSUS  
Dilip Madhavrao Bobade and Another

...  
Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao  
Advocate for Respondent No.2 : Mr. U. B. Bondar  
Advocate for Respondent No.1 : Mr. A.B. Hawale

...  
**WITH**  
**CIVIL APPLICATION NO. 12386 OF 2025**  
**IN ARBA/74/2025**

...  
**AND**  
**ARBITRATION APPEAL NO. 79 OF 2025**

The National Highways Authority Of India Through its Project Director  
VERSUS  
Abhimanyu Ashruba Magar Died Through His Lrs. Tarabai Abhimanyu Magar

and Another

...

Advocate for Appellant : Mr. Narwadkar Mrigesh Dinkarrao

Advocate for Respondent No.2 : Mr. Nitin Salunke

Advocate for Respondent No.1 : Mr. Y. K. Bobade

...

**CORAM : ARUN R. PEDNEKER, J.**

**Dated : April 29, 2026**

**PER COURT :**

1. Heard.

2. By the present Arbitration Appeals, the appellants challenge the order passed by the District Court under Section 34 of the Arbitration and Conciliation Act, 1996, whereby the arbitral awards were set aside and the matters were remitted to the arbitrator.

3. The facts, in brief, are that the lands in question were acquired for the widening of National Highway No. 211, situated within Taluka and District Beed. A notification under Section 3A of the National Highways Act, 1956 was issued on 20/06/2014. Compensation was initially determined under Section 3G(1), and thereafter applications were filed under Section 3G(5). The arbitrator enhanced the compensation; however, different amounts were awarded for different lands. The said awards were challenged by the claimants before the District Court. By a common order,

the District Court set aside all the arbitral awards and remitted the matters to the arbitrator for fresh determination.

4. Challenging the said order, the learned Counsel for the National Highway Authority submits that the observations made by the District Court in paragraphs 26 and 27 may affect the final outcome of the arbitral proceedings. It is contended that the said observations suggest that the arbitrator is required to award uniform compensation to all the appellants.

5. Upon perusal of the impugned order, the observations made by the District Court do not appear to be erroneous. However, since the acquisition pertains to lands from different villages, some variation in compensation is possible depending upon the sale instances relied upon by the arbitrator, including the location and distance of such lands. Such variation, however, may only be marginal. The observation of the District Court that similarly situated lands should be granted the same compensation appears, *prima facie*, to be correct. Nevertheless, the ultimate discretion must remain with the arbitrator, who shall determine the compensation on the basis of relevant sale deeds and attendant circumstances.

6. The learned Counsel for the appellant further submits that, while remitting the matters, the District Court ought not to have re-examined the

evidence. However, the District Court has observed that similarly situated lands should be awarded similar compensation. It has also taken into consideration that the principles of determination of price for lands acquired under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 are applicable to acquisitions under the National Highways Act, in view of the notification issued under Section 105 of the 2013 Act, making Sections 26 to 30 applicable.

7. In view of the above, the observations of the District Court are appropriate, and no error is found in the impugned order. Accordingly, the Arbitration Appeals stand disposed with above observations.

8. The National Highway Authority shall pay the requisite court fees within a period of six weeks from today. All pending Civil Applications stand disposed of.

**( ARUN R. PEDNEKER, J. )**

*vj gawade/-.*