IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 ARBITRATION APPEAL NO. 112 OF 2025

National Highways Authority Of India Through Its Project Director Amrish M. Mankar

*VERSUS*

Santosh Rangnath And Others

...

WITH

ARBITRATION APPEAL NO. 135 OF 2025

National Highways Authority Of India Through Its Project Director, Amrish M. Mankar

*VERSUS*

Samadhan Dattu And Another

...

WITH

ARBITRATION APPEAL NO. 139 OF 2025

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Gangadhar Maroti And Another

...

WITH

CIVIL APPLICATION NO. 3233 OF 2026 IN ARBA/43/2026

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Nana Trimbak And Another

...

WITH

ARBITRATION APPEAL NO. 138 OF 2025

National Highways Authority Of India Through Its Project Director, Amrish M Mankar

*VERSUS*

Amol Jagannath And Another

...

**WITH**
**CIVIL APPLICATION NO. 3437 OF 2026 IN ARBA/53/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujawala And Others
…
**WITH**
**CIVIL APPLICATION NO. 3443 OF 2026 IN ARBA/55/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujawala And Others
…
**WITH**
**ARBITRATION APPEAL NO. 134 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Deoji Laxman And Another
…
**WITH**
**CIVIL APPLICATION NO. 3655 OF 2026 IN ARBA/61/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Ramrao Maroti And Another
…
**WITH**
**CIVIL APPLICATION NO. 3674 OF 2026 IN ARBA/68/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Bhimrao Trimbak And Another
…
**WITH**
**CIVIL APPLICATION NO. 3236 OF 2026 IN ARBA/46/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Dattu Bajirao And Another
…
**WITH**
**ARBITRATION APPEAL NO. 136 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M. Mankar
*VERSUS*
Deoji Laxman And Another
…
**WITH**
**CIVIL APPLICATION NO. 3430 OF 2026 IN ARBA/51/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Krushna Baburao And Another
…
**WITH**
**CIVIL APPLICATION NO. 3564 OF 2026 IN ARBA/57/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vitthal Maroti And Another
…
**WITH**
**CIVIL APPLICATION NO. 14189 OF 2025 IN ARBA/149/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Gangadhar Maroti And Another
…
**WITH**
**CIVIL APPLICATION NO. 3116 OF 2026 IN ARBA/39/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*

Indraraj Tatyabhau And Another

…

**WITH**

**CIVIL APPLICATION NO. 3120 OF 2026 IN ARBA/41/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Kasabai Sonaji And Another

…

**WITH**

**CIVIL APPLICATION NO. 3118 OF 2026 IN ARBA/40/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Sanjay Murlidhar And Another

…

**WITH**

**CIVIL APPLICATION NO. 14181 OF 2025 IN ARBA/144/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Nagnath Namdeo And Another

…

**WITH**

**ARBITRATION APPEAL NO. 137 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar

*VERSUS*

Bhimrao Trimbak And Another

…

**WITH**

**CIVIL APPLICATION NO. 3658 OF 2026 IN ARBA/64/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Ramrao Maroti And Another

…

**WITH**

**ARBITRATION APPEAL NO. 49 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Dattu Bajirao And Another
...
**WITH**
**CIVIL APPLICATION NO. 3675 OF 2026 IN ARBA/69/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Sudhir Lalchand Agarwal And Another
...
**WITH**
**ARBITRATION APPEAL NO. 131 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Balu Baburao And Another
...
**WITH**
**ARBITRATION APPEAL NO. 57 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vitthal Maroti And Another
...
**WITH**
**CIVIL APPLICATION NO. 3568 OF 2026 IN ARBA/60/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vishnu Bhivsan And Another
...
**WITH**
**CIVIL APPLICATION NO. 14154 OF 2025 IN ARBA/139/2025**

National Highways Authority Of India Through Its Project Director Amrish

M Mankar
*VERSUS*
Gangadhar Maroti And Another
...
**WITH**
**CIVIL APPLICATION NO. 3672 OF 2026 IN ARBA/65/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Yamunabai Shankar And Another
...
**WITH**
**CIVIL APPLICATION NO. 3673 OF 2026 IN ARBA/67/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Bhimrao Trimbak And Another
...
**WITH**
**CIVIL APPLICATION NO. 3676 OF 2026 IN ARBA/70/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Rambhau Namdev And Others
...
**WITH**
**CIVIL APPLICATION NO. 3423 OF 2026 IN ARBA/50/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujawala And Other
...
**WITH**
**CIVIL APPLICATION NO. 3656 OF 2026 IN ARBA/62/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Janardhan Murlidhar And Another

…

**WITH**

**CIVIL APPLICATION NO. 3657 OF 2026 IN ARBA/63/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Sanjay Murlidhar And Another

…

**WITH**

**ARBITRATION APPEAL NO. 66 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Suresh Mohan And Another

…

**WITH**

**ARBITRATION APPEAL NO. 65 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Yamunabai Shankar And Another

…

**WITH**

**ARBITRATION APPEAL NO. 67 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Bhimrao Trimbak And Another

…

**WITH**

**ARBITRATION APPEAL NO. 68 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*

Bhimrao Trimbak And Another

…

**WITH**

**ARBITRATION APPEAL NO. 61 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Ramrao Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 62 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Janardhan Murlidhar And Another
...
**WITH**
**ARBITRATION APPEAL NO. 63 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Sanjay Murlidhar And Another
...
**WITH**
**ARBITRATION APPEAL NO. 64 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Ramrao Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 69 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Sudhir Lalchand Agarwal And Another
...
**WITH**
**ARBITRATION APPEAL NO. 70 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar

*VERSUS*
Rambhau Namdev And Others
...
**WITH**
**ARBITRATION APPEAL NO. 50 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujawala And Others
...
**WITH**
**ARBITRATION APPEAL NO. 53 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujawala And Others
...
**WITH**
**ARBITRATION APPEAL NO. 47 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Bhanudas Hiraman And Another
...
**WITH**
**ARBITRATION APPEAL NO. 51 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Krushna Baburao And Another
...
**WITH**
**ARBITRATION APPEAL NO. 144 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Nagnath Namdeo And Another
...

**WITH**
**ARBITRATION APPEAL NO. 58 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Chandrakant Mohan And Another
...

**WITH**
**ARBITRATION APPEAL NO. 59 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Baban Dasharath And Another
...

**WITH**
**ARBITRATION APPEAL NO. 60 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vishnu Bhivsan And Another
...

**WITH**
**ARBITRATION APPEAL NO. 114 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*
Anusayabai Baban And Another
...

**WITH**
**ARBITRATION APPEAL NO. 115 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*
Bharat Baburao And Another
...

**WITH**
**ARBITRATION APPEAL NO. 116 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*
Vitthal Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 123 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*
Vitthal Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 130 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Nandkumar Baban And Another
...
**WITH**
**ARBITRATION APPEAL NO. 132 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M. Mankar
*VERSUS*
Pundalik Rangnath Jadhav And Another
...
**WITH**
**ARBITRATION APPEAL NO. 133 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Ramdas Kisan And Another
...
**WITH**
**ARBITRATION APPEAL NO. 140 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*

Nana Trimbak And Another
…
**WITH**
**ARBITRATION APPEAL NO. 142 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Amol Jaganath And Another
…
**WITH**
**ARBITRATION APPEAL NO. 146 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Chandrakant Mohan And Another
…
**WITH**
**ARBITRATION APPEAL NO. 149 OF 2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Gangadhar Maroti And Another
…
**WITH**
**ARBITRATION APPEAL NO. 38 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Goraknath Yashwanta And Another
…
**WITH**
**ARBITRATION APPEAL NO. 39 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Indraraj Tatyabhau And Another
…
**WITH**

**ARBITRATION APPEAL NO. 40 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Sanjay Murlidhar And Another
...
**WITH**
**ARBITRATION APPEAL NO. 41 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Kasabai Sonaji And Another
...
**WITH**
**ARBITRATION APPEAL NO. 48 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Gangadhar Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 55 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Vasant Ghanshyamdas Haujwala And Others
...
**WITH**
**ARBITRATION APPEAL NO. 56 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Suresh Mohan And Another
...
**WITH**
**ARBITRATION APPEAL NO. 45 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish

M Mankar
*VERSUS*
Tarabai Mahadu And Another
...
**WITH**
**ARBITRATION APPEAL NO. 46 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Dattu Bajirao And Another
...
**WITH**
**ARBITRATION APPEAL NO. 43 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Nana Trimbak And Another
...
**WITH**
**ARBITRATION APPEAL NO. 44 OF 2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Ramrao Maroti And Another
...
**WITH**
**ARBITRATION APPEAL NO. 141 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Deoji Laxman And Another
...
**WITH**
**ARBITRATION APPEAL NO. 129 OF 2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Rajendra Mohan And Another

…

**WITH**

**CIVIL APPLICATION NO. 13821 OF 2025 IN ARBA/114/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar

*VERSUS*

Anusayabai Baban And Another

…

**WITH**

**CIVIL APPLICATION NO. 13822 OF 2025 IN ARBA/115/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar

*VERSUS*

Bharat Baburao And Another

…

**WITH**

**CIVIL APPLICATION NO. 13823 OF 2025 IN ARBA/116/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar

*VERSUS*

Vitthal Maroti And Another

…

**WITH**

**CIVIL APPLICATION NO. 13834 OF 2025 IN ARBA/123/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar

*VERSUS*

Vitthal Maroti And Another

…

**WITH**

**CIVIL APPLICATION NO. 14140 OF 2025 IN ARBA/129/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar

*VERSUS*

Rajendra Mohan And Another

…

**WITH**

**CIVIL APPLICATION NO. 14141 OF 2025 IN ARBA/130/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Nandkumar Baban And Another
...
**WITH**
**CIVIL APPLICATION NO. 14142 OF 2025 IN ARBA/131/2025**

National Highways Authority Of India Through Its Project Director, Amrish M. Mankar
*VERSUS*
Balu Baburao And Another
...
**WITH**
**CIVIL APPLICATION NO. 14146 OF 2025 IN ARBA/132/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Pundalik Rangnath Jadhav And Another
...
**WITH**
**CIVIL APPLICATION NO. 14147 OF 2025 IN ARBA/133/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Ramdas Kisan And Another
...
**WITH**
**CIVIL APPLICATION NO. 14148 OF 2025 IN ARBA/134/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Deoji Laxman And Another
...
**WITH**
**CIVIL APPLICATION NO. 14150 OF 2025 IN ARBA/135/2025**

National Highways Authority Of India Through Its Project Director, Amrish M. Mankar

*VERSUS*
Samadhan Dattu
…
**WITH**
**CIVIL APPLICATION NO. 14151 OF 2025 IN ARBA/136/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*
Deoji Laxman And Another
…
**WITH**
**CIVIL APPLICATION NO. 14152 OF 2025 IN ARBA/137/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Bhimrao Trimbak And Another
…
**WITH**
**CIVIL APPLICATION NO. 14153 OF 2025 IN ARBA/138/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Amol Jagannath And Another
…
**WITH**
**CIVIL APPLICATION NO. 14155 OF 2025 IN ARBA/140/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Nana Trimbak And Another
…
**WITH**
**CIVIL APPLICATION NO. 14156 OF 2025 IN ARBA/141/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Deoji Laxman And Another
…

**WITH**
**CIVIL APPLICATION NO. 14157 OF 2025 IN ARBA/142/2025**

National Highways Authority Of India Through Its Project Director, Amrish M Mankar
*VERSUS*
Amol Jaganath And Another
...
**WITH**
**CIVIL APPLICATION NO. 14184 OF 2025 IN ARBA/146/2025**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Chandrakant Mohan And Another
...
**WITH**
**CIVIL APPLICATION NO. 3115 OF 2026 IN ARBA/38/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Goraknathyashwanta And Another
...
**WITH**
**CIVIL APPLICATION NO. 3234 OF 2026 IN ARBA/44/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Ramrao Maroti And Another
...
**WITH**
**CIVIL APPLICATION NO. 3294 OF 2026 IN ARBA/48/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Gangadhar Maroti And Another
...
**WITH**
**CIVIL APPLICATION NO. 3562 OF 2026 IN ARBA/56/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Suresh Mohan And Another
...
**WITH**
**CIVIL APPLICATION NO. 3565 OF 2026 IN ARBA/58/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Chandrakant Mohan And Another
...
**WITH**
**CIVIL APPLICATION NO. 3567 OF 2026 IN ARBA/59/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Baban Dasharath And Another
...
**WITH**
**CIVIL APPLICATION NO. 3295 OF 2026 IN ARBA/49/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Dattu Bajirao And Another
...
**WITH**
**CIVIL APPLICATION NO. 3293 OF 2026 IN ARBA/47/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Bhanudas Hiraman And Another
...
**WITH**
**CIVIL APPLICATION NO. 13810 OF 2025 IN ARBA/112/2025**

National Highways Authority Of India Through Its Project Director Amrish M. Mankar
*VERSUS*

Santosh Rangnath And Others
…
**WITH**
**CIVIL APPLICATION NO. 3235 OF 2026 IN ARBA/45/2026**

National Highways Authority Of India Through Its Project Director Amrish M Mankar
*VERSUS*
Tarabai Mahadu And Another
…
Advocate for Appellants in all appeals : Mr. Rahate Satyajeet Jadhavrao
Advocate for Respondent No. 1 in respective appeals : Mr. R.M. Patil h/f. Mr. P.H. Patil
Advocates for Respondent/C.A.L.A. in respective appeals : Mr. U.B. Bondar, Mr. N.T. Tribhuwan, Mr. S.W. Munde, Mr. R.B. Bagul, Mr. K.S. Solanke, Mr. A.R. Borulkar, Mr. S.S. Deve, Mr. R.D. Sanap, Mr. Rajesh Mewara, Mr. A.D. Kulkarni, Ms. A.S. Jadhav, Ms. M.G. Kasturkar, Mr. R.R. Bangar, Mr. N.U. Jadhav, Mr. N.T. Bhagat, Mr. K.S. Solanke
…

**CORAM : ARUN R. PEDNEKER, J.**
**Dated : April 10, 2026**

**ORDER :-**

1. By the present arbitration appeals, the National Highways Authority of India has challenged the judgment and orders passed by the learned Principal District Judge, Aurangabad in an applications under section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as ‘the Act’ for short), so also the awards passed by the Arbitrator in an applications under section 3(G)(5) of the National Highways Authority of India Act, 1956 (hereinafter referred to as ‘the NHAI Act’ for short) confirming the awards passed by the Competent Authority Land Acquisition and Sub Divisional Officer, Aurangabad under section 3(G)(1)

of the NHAI Act. The learned Principal District Judge has upheld the awards passed by the arbitrator, confirming the awards passed by the Competent Authority Land Acquisition (hereinafter referred to as 'CALA' for short), who has granted compensation at the rate of Rs.550/- per Sq. Mtr. for the acquired lands for the expansion of national highway.

2. Facts in brief, leading to the filing of the present appeals are summarized as under :-

Notification under section 3-A of the NHAI Act was issued on 17.9.2014 for compulsory acquisition of lands required for widening of national highway No. 211 for various villages including the village Talesaman, Tal. and Dist. Aurangabad. Final notification under section 3-D of the Act was issued on 15.9.2015. CALA declared the common award determining compensation under section 3-G(1) of NHAI Act on 20.5.2017 by categorizing the lands into various slabs. Thus, the lands upto 500 Sq. Mtrs. were granted compensation at the rate of Rs. 550/- per Sq. Mtrs, lands from 501 to 2000 Sq. Mtrs. were granted compensation at the rate of 495/- per Sq. Mtrs., lands from 2001 to 4000 Sq. Mtrs. were granted compensation at the rate of 440/- per Sq. Mtrs., lands from 4001 to 10000 Sq. Mtrs. were were granted compensation at the rate of 330/- per Sq. Mtrs. and the lands above 10000 Sq. Mtrs. were granted Rs. 275/- per Sq. Mtrs.

3. Without cancelling the above award dated 20.5.2017, in respect of the same lands covered under the above award, CALA declared another award on 23.8.2017. The claimants challenged the second award before the High Court in Writ Petition No. 14300/2019, 14279/2019 and 14276/2019. The High Court quashed and set aside the second award dated 23.8.2017 being without jurisdiction. Thereafter, NHAI challenged the first award dated 20.5.2017 before the Collector/arbitrator under section 3(G)(5) of the NHAI Act. The arbitrator by award dated 9.1.2024 dismissed the application filed by NHAI under section 3-G(5) and upheld the first award by CALA dated 20.5.2017. However, the appellant/NHAI challenged the said award dated 9.1.2024 before the learned Principal District Judge by filing applications under section 34 of the Act. The same is dismissed by the above impugned judgment and order and accordingly, the present appeals under section 37 of the Act are filed.

4. Challenging the awards, the learned counsel for the appellant/NHAI submits that CALA has done excessive valuation of the land and there were allegations of fraud against the CALA. It is also submitted that the arbitrator has not acted fairly, although various applications were pending before him, no orders were passed, Roznamas were manupulated at the instance of arbitrator and the awards were passed under the influence of

political persons and the arbitral tribunal has refused to accept the documents filed by NHAI. It is also stated that the appellant had issued notice to the arbitrator for not giving fair opportunity and that arbitrator has acted malafide. It is also stated that arbitrator has not discussed the merits of the matter and accordingly passed the awards and therefore, the same may be quashed and set aside and the matters be remitted to the arbitrator for fresh decision.

5. Per contra, the learned counsel appearing for claimants submits that infact lessor compensation has been granted to the claimants by CALA in comparison to the compensation granted to the lands of other adjacent villages. The learned counsel submits that evidence was produced by the claimants in the arbitration application filed under section 3(G)(5) by the NHAI. The arbitration application was filed on 14.1.2022 and the date of decision of arbitrator is 9.1.2024. For two years matters were pending before the arbitrator, however, the appellant failed to file documents in support of claim before the arbitrator although affidavits in evidence was filed before the arbitrator. The learned counsel submits that claimants had filed their evidence before the arbitrator and after discussing the evidence produced, the arbitrator has come to the conclusion that the sale deeds produced by the claimants shows that market value is much higher than the amount granted by CALA and the average of sale deeds as per

respondent/claimant is more than Rs.2287/- per Sq. Mtrs. The lands of the claimants are abutting the Aurangabad Municipal limits and Industrial township of Waluj. There is terminal of the Container Corporation of India just besides the acquired land and therefore, the market value mentioned in the sale deeds is appropriate. It is evident from the market value determined in case of adjoining villages of Karodi and Maliwada that the landowners were awarded at the rate of Rs.2100/- per Sq. Mtrs. and further in the case of some landowners whose lands are abutting to the lands of respondents, the arbitrator has granted compensation at the rate of Rs1767/- per Sq. Mtr. and for Satara locality the landowners were awarded compensation at the rate of Rs.16700/- per Sq. Mtr., Rs.5000/- to Rs.13300/- per Sq. Mtr. For Kanchanwadi, Rs. 1767/- per Sq. Mtr. For Karodi and Rs. 2100/- per Sq. Mtr. For Maliwada. Considering all these aspects the arbitral tribunal has maintained the awards of CALA and not interfered in the same.

6. The issues involved in the matters relating to village Talesaman and Devlai are common and common oral arguments were advanced before the District Court. I have independently passed order in Arbitration Appeal No. 113/2025 (National Highways Authority of India Vs. Digambar Hiwale and Ors.) and other connected matters dealing with the lands acquired from village Devlai on 7.4.2026. The reasoning given therein as

regards conduct of the parties including NHAI also apply to these appeals.

7. On perusal of the award passed by the arbitrator, it is seen that the arbitrator has observed that the applicant/NHAI has failed to produce any sale deed to prove the actual market value of the acquired land and in fact, they have not claimed any specific market value for the land. Therefore, the claim of the applicants seems vague. The arbitrator has further observed that the proceedings before this arbitrator are original proceedings and not an appeal against the CALA's award and the applicants are bound to make specific claim along with cogent and reliable evidence in support thereof. The learned arbitrator has observed that the Respondent/land owners have produced sale transactions from the same vicinity and on examination of the sale deeds it is clear that the market value is much higher and the average of sale deeds is more than Rs. 2287/- per sq mtr.

8. Land owners have also produced sale deeds of adjoining village of Karodi. The average of sale deeds in Karodi Rs. 2488/- per sq mtr. The respondent has also produced a conjoined map of Talesaman, Asegaon and Karodi, all three villages sharing boundaries. In fact, there is no separate village by the name of Talesaman and their only one grampanchyat i.e of Asegaon. The arbitrator has also observed that these localities are abutting

the Aurangabad Municipal Limit and Industrial Township Waluj. There is the terminal of the Container Corporation of India just beside the acquired land. Therefore, the market value mentioned in the sale deeds seems to be appropriate. However, the arbitrator has observed that though the claimants have claimed enhancement by way of Counter Claim, the arbitrator has not decided the same in the proceeding under section 3(G)(5) initiated at the instance of the NHAI. The arbitrator has observed that nevertheless, the evidence produced by the respondents/claimants can be used for verifying claim of applicants. The arbitrator has observed that from the market value mentioned in sale deeds it's amply clear that the market value of acquired land is more than what is awarded by the CALA i.e. more than Rs. 550/- per sq. mtrs. The arbitrator has also observed that it would also be apt to mention that market value discovered by CALA is further reduced on the basis of size of the actual acquired land and therefore, the market value determined by the CALA is much lesser.

9. The arbitrator has held that the applicant/NHAI has expressed his apprehension of the possibility of corruption against the CALA, however, the arbitrator has no authority to enquire into apprehension of parties. The arbitrator has decided the issue on the basis of specific claims accompanied with evidence.

10. The arbitrator has further held that it is evident from the market value determined in case of adjoining villages of Karodi and Maliwada that the landowners were awarded at the rate of Rs. 2100/- per sq. mtrs. In the case of some landowners whose lands are abutting the claimant's land the NHAI had challenged the award. Arbitrator was pleased to redetermine the market value at the rate of Rs. 1767/- per sq. mtrs. The said determination was acquiesced and the compensation amount was duly disbursed by the applicants.

11. The NHAI has challenged the arbitral award before the District Court. The District Court has dealt in detail with the submissions of the NHAI that the authority has not granted fair opportunity to the appellant. The learned District Court has observed that one of the grounds repeatedly urged by NHAI is that the Arbitrator did not give full opportunity to NHAI to present its case. Documents submitted on behalf of NHAI like e-mail dated 11.12.2023 were sent to the office of Collector, were the ready-recknor and reports and the same was not considered by the Collector. The District Court observed that the subject of mail was "Index-II, Satara, Deolai, Gandheli, Asegaon, Talesaman, Rail-Nawadi, Makranpura, Kannad" and the documents were belatedly sent after the declaration of the impugned Award and thus, it is a misleading argument on behalf of the NHAI to contend that their documents are not considered by the

Arbitrator.

12. The learned District Court has observed that perusal of the roznama in respect of both the proceedings i.e. Talesaman and Deolai shows that advocates for both sideswere heard on several dates. In the case of Talesaman, the advocates filed various applications from time to time and served copies upon each other. On 25.4.2023 the matter was adjourned for filing affidavit evidence of NHAI. On 13.6.2023, NHAI did not file the affidavit and hence matter was again adjourned to 20.6.2023. Again on 20.6.2023, no steps were taken by NHAI. On 5.7.2023, it is stated in roznama that despite granting opportunities repeatedly, NHAI has not filed evidence and therefore as a last chance matter was adjourned to 12.7.2023. Even thereafter, on 12.7.2023, 19.7.2023 and 26.7.2023 no affidavit was filed. Hence, on 26.7.2023, the arbitrator recorded in roznama that the period to file affidavit evidence by Project Director, NHAI has expired and matter was adjourned to 2.8.2023. On 2.8.2023, both advocates were granted time till 14.8.2023 to file written submissions. Oral submissions were also heard and matter was closed for decision. However, on 31.10.2023, roznama shows that NHAI requested for permission to file claim affidavit and same was allowed to be filed. It is further recorded that as per the amendment application, NHAI has filed the amended plaint/claim on 19.8.2023. On 29.11.2023, it is recorded

that both advocates requested for opportunity to conduct oral hearing and therefore both sides were heard.

13. Thus, the learned District Court held that from the roznama it is apparent that repeated opportunities were granted to NHAI by the arbitrator. As stated above, the NHAI took period from 25.4.2023 to 31.10.2023 to file their affidavit evidence. The advocates were also heard orally despite written submissions. Arbitrator was required to issue notice on 12.10.2023 to the Project Director, NHAI drawing attention to repeated delay and failure of NHAI to submit evidence affidavit. In the light of these opportunities granted to the NHAI, it is highly improper and unfair on the part of NHAI to urge that equal opportunity was not granted. On the contrary, the arbitrator granted several opportunities to the NHAI to file its affidavit i.e. more than 6 months. Even with said affidavit, all documents were not filed. Despite so many opportunities, the NHAI submitted documents by e-mail dated 22.1.2024, after the award was already declared on 9.1.2024.

14. Thus, the District Court in detail has analysed the allegations made against the arbitrator of not giving fair/equal opportunity to NHAI to lead evidence. However, it is to be seen that the matter was pending from 14.1.2022 to 9.1.2024 before the arbitrator. The District Court has also

found that the acquired land from other villages have been granted higher compensation i.e. multiple time higher compensation and some of the awards were not even challenged by the NHAI. In the above noted facts that the appellant failed to lead evidence before arbitrator and that the neighbouring villagers are granted higher compensation and so also the evidence produced by the claimants show that less compensation than market value is granted to the claimants, I hold that no case is made out by the appellant to interfere with the arbitral award so also the order passed by the District Court under section 34 of the Arbitration Act.

15. Accordingly, the arbitration appeals are dismissed. In view of the dismissal of the arbitration appeals, all pending civil applications are also disposed of.

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

ssc/-