



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3346 OF 2026

Subhash s/o Apparao Hipparge
Age: 61 years, Occu.: Agri.,
R/o. Phulwadi, Tq. Tuljapur,
District Osmanabad.

.. Petitioner

Versus

1. The Union of India
Through, Deputy Secretary,
The Ministry of Shipping, Road,
Transport and Highway,
New Delhi.
2. The State of Maharashtra
Through its Secretary,
Public Works Department,
Mantralaya, Mumbai-32.
3. The Collector, Osmanabad,
District Osmanabad.
4. The Competent Authority
and Deputy Collector Land
Acquisition Manjara Project,
Osmanabad.
5. The Project Director,
National Highway Authority of India,
PIU Solapur, Survey No.297,
Solapur-Pune Highway, Vasant Vihar,
Kegaon, Solapur-413004,
Ta. And Dist. Solapur.

.. Respondents

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Mr. Santosh N. Patne, Advocate for the petitioner.
Ms. N. B. Kamble, AGP for respondents/State.
Mr. D. P. Madkar h/f D. S. Manorkar, Advocate for respondent No.5.

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**CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATE : 24 APRIL 2026

ORDER :

. The present petition has been filed for the following reliefs :-

“B. Issue an appropriate writ, order or directions in like nature, thereby quashing and setting aside the award passed by the Competent Authority the Award dated 07.05.2014 to be illegal only to the extent of 1900 sq. mtr. (19-R) for not granting the statutory benefits of Solatium, Component Interest and Interest in addition to the market value.

C. Issue an appropriate writ, order or directions thereby the award dated 07.05.2014 passed by the Competent Authority in Outward No.2010/Land Acquisition/National Highway No.9/CR/06 kindly be modified and the petitioner be awarded in addition to the market value of the land, amount of 30% of the solatium, 12% of component and requisite amount of interest, as provided under Land Acquisition Act, 1894 and/or Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.”

2. Learned Advocate Mr. Santosh N. Patne appearing for the Petitioner submits that the Petitioner is not pressing prayer clause (B) and seeks to proceed only with prayer clause (C). He submits that, in view of the law laid down by the Hon’ble Supreme Court in **Union of**

India & Another v. Tarsem Singh & Others, (2019) 9 SCC 304, the Petitioner intends to submit an appropriate representation before the Competent Authority for claiming the statutory benefits. He submits that no such representation has been filed by the Petitioner in the present case. He, therefore, seeks liberty to file the same within a period of two weeks, with a request that the Competent Authority decide the said representation in the light of the aforesaid judgment.

3. Learned Advocate Mr. R. D. Sanap appears for Respondent Nos.1 and 4. Learned AGP waives for Respondent No.2 and 3. Learned Advocate Mr. D. P. Madkar holding for learned Advocate Mr. D. S. Manorkar waives for Respondent No.5. Learned Advocate Mr. Sanap submits that, upon the Petitioner filing the proposed representation, the same would be decided by the Competent Authority in view of paragraph 14(ii) of the decision in Review Petition (Civil) No. 2528/2025, **National Highways Authority of India v. Tarsem Singh and Others**, decided by the Hon'ble Supreme Court on 25.03.2026.

4. We are not going much into the other details. Certainly, the Review Petition was filed before the Hon'ble Supreme Court and it has been decided at that Court. The claims those are made in respect of solatium and interest will have to be decided on the basis of the decision by the Hon'ble Supreme Court.

5. The learned Advocate representing Respondent No.4/the Competent Authority, upon instructions, states that upon the Petitioner filing the representation, the same would be decided within a period of 10 weeks thereafter. He submits that the necessary calculations would be made within the aforesaid period and would inform it to Respondent No.5.

6. In view of the aforesaid statement, we dispose of the Writ Petition by directing Respondent No.4 to decide the representation, which would be filed by the Petitioner, within a period of 10 weeks from the date of its filing and to communicate the said calculation, in proper format, to Respondent No.5 within a period of one week from the date of such decision. Upon receipt of the said calculations, Respondent No.5 shall make payment, in accordance therewith, within a period of four weeks thereafter.

7. If at all the calculation is not agreeable, then the proper procedure prescribed under the law may be utilized by Respondent No.5 as well as the petitioner.

[AJIT B. KADETHANKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm