

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 16191 OF 2025

Anirudha Manohar Khopade and Ors .. Petitioners

V/s.

The Union Of India Throu. Sec. .. Respondents
Competent Authority And Land
Acquisition And Ors

Mr. S.B. Deshpande, Senior Advocate with Shreyas Deshpande, for Petitioners.

Ms. Vaishali Choudhary with Ashutosh Mishra and S. Ansari, for Respondent No. 1-UOI.

Mr. Anil Singh, ASG with Rakesh Singh, Dhaval, Krishnakant Deshmukh i/by M.V. Kini and Co. for Respondent No. 2.

Ms. M.S. Bane, AGP, for Respondent Nos. 3 and 4.

Mr. Sandeep Yadav, NHAI officer present.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE : 14TH JANUARY 2026.

PC:

1. Heard learned Senior Advocate appearing for the Petitioners and learned ASG for the Respondent – Authority.
2. Although an affidavit-in-reply on behalf of the Respondent-Authority has been filed, the same has not been included in the papers of this Court.
3. The Registry is directed to ensure that the reply is on record.

4. Photocopies tendered by the learned ASG, for the present, taken on record for reference.

5. Perusal of the copy of the affidavit-in-reply indeed shows that the authority claims that the Galas belonging to the Petitioners remain unaffected by the proposed highway and that report of the Indian Institute of Technology sufficiently demonstrates that the acquisition and demolition of the affected Galas would not in any manner affect the structural stability of the Galas of the Petitioners.

6. But there is still some lack of clarity as to the location of the Galas that have been acquired and are proposed to be demolished, as opposed to the Galas owned by the Petitioners.

7. A coloured map was tendered during the course of the arguments, and it was claimed that the affected portion is the one shown in pink boundaries as opposed to the portion of the building in orange boundaries. It is claimed that the Galas belonging to the Petitioners are located in the orange portion, clearly unaffected by the proposed highway and the acquisition.

8. The Respondent Authority is directed to file a short additional affidavit to further clarify the matter.

9. This Court has also taken note of the specific contention raised on behalf of the Petitioners by placing reliance on Section 94 of The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013, which pertains to acquisition of the part of house or building.

10. We expect the Respondent-Authority to respond to the said contention, so that the petition can be disposed of on the next date of hearing.

11. The short additional affidavit be filed within one week from today.

12. List for further consideration on 23rd January 2026, 'High on Board'.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)