



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 6721 OF 2024

Sanjay S/o. Keshrimalji Baheti

.Vs.

Project Director, National Highway's Authority of India, Amravati and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr S. A. Mohta, Advocate for the petitioner

Mr Piyush Pendke, AGP for respondent Nos.2 and 3

Mr A. A. Kathane, Advocate for respondent No. 1

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATED : JANUARY 20 2026.

Heard.

2. Leave to add 'Deputy Director of Land Record, Amravati, Near Collector Officer, Amravati' is granted.

3. Corrections be carried out forthwith.

4. In the present matter, the only dispute is whether 0.35 HR land of the petitioner was acquired by NHAI.

5. According to NHAI, as per Award dated 05.08.2019 it was 0.25 HR land, whereas according to petitioner 0.35 HR land is in possession of NHAI.

6. In support of such submission, learned counsel for the petitioner has placed reliance on Joint Measurement Report dated 13.12.2022, which is signed by the NHAI. However, the same is disputed by NHAI.

7. Learned counsel for NHAI shows willingness to resolve the issue and according to him, if the authority higher in rank to Superintendent of Land Records measure the land

and determines how much area has actually been acquired, the issue can be resolved and the NHAI is ready to pay the charges for such measurement.

8. The petitioner is also agreeable with this proposal of the NHAI. However, if no excess land is found in possession of NHAI, petitioner will refund the entire measurement expenses back to NHAI immediately within one month from the date of said measurement.

9. Learned counsel for NHAI further makes a statement that if excess land than 0.35 HR land is found acquired, the amount towards compensation of the same shall be paid accordingly.

10. In the circumstances, we dispose of the present petition with direction to Deputy Director of Land Record to carry out the measurement of the land in question and find out whether the land acquired by the NHAI is more than 0.35 HR and if it is more than that what is the total land of the petitioner has been acquired by NHAI.

11. Learned AGP shall communicate this order to respondent No. 4 within two weeks from today, thereupon, NHAI shall deposit the amount of measurement within three weeks thereafter. On deposit of such amount, the Deputy Director of Land Records shall carry out such measurement himself or in his presence by any authorized officer within six weeks and communicate the decision to petitioner as well as to the NHAI, within one week from such measurement.

12. If the acquired land is found more than 0.35 HR, steps to release the amount of compensation to the petitioner and in any case, within four months from the date of communication of such decision by Deputy Director of Land Records.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Namrata