



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

WRIT PETITION NO.1674 OF 2026

DOMA DASHRATH GHUTKE AND ANOTHER

VS

NATIONAL HIGHWAY AUTHORITY OF INDIA, THR. PROJECT DIRECTOR,
YAVATMAL AND ORS.

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

Court's or Judge's orders

Mr. Ashish Nakshane, Advocate for the petitioner/s
Ms T.H. Khan, AGP for the respondent No.2/State

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

DATE : 24.02.2026

1. Heard the learned counsel for the petitioners.
2. The petitioners, whose land was acquired for national highway, has approached this Court seeking direction to the respondent Nos.1 and 2 to pass a fresh award towards acquisition of extra land having area 4100 sq. meter out of Gat No.97, owned by the petitioners.
3. The contention is that the respondent No.1-National Highways Authority of India had acquired the land of the petitioner bearing Gat No.97, total area 3.58 HR, out of which 7100 sq. meter land was acquired. However, the award which was passed on 06.07.2018 was pertaining to only 3000 sq. meter.
4. The petitioners had filed proceedings before the Arbitrator and in compliance of the order dated 29.08.2022 passed by the Arbitrator, a joint measurement was conducted, which reveals that the extra 4100 sq. meter

land of the petitioner was acquired. The joint measurement report indicates the aforesaid fact which is at page 35, dated 28.01.2025.

5. After the aforesaid joint measurement report, the petitioners had submitted a representation on 12.03.2025, to the respondent No.2-Sub-Divisional Officer/Competent Authority, Yavatmal for granting additional compensation for the aforesaid land, which was additionally acquired.

6. Since the respondent No.2 has not decided or acted upon such representation, a legal notice dated 21.01.2026 was issued by the petitioners to the respondent No.1 (page 39).

7. Thus, the grievance raised by the petitioners regarding payment of additional compensation on the ground that excess land has been acquired, has already been brought to the notice of Respondent Nos. 1 and 2 by way of the aforesaid representation and legal notice. Accordingly, we direct the respondent No.1-National Highways Authority of India, Yavatmal, to treat the legal notice dated 21.01.2026 (page 39), as a representation made by the petitioners. Similarly, the respondent No.2 is also directed to decide the representation dated 12.03.2025, submitted by the petitioners.

8. Both the representations shall be decided by the respondent No.1, so also by the respondent No.2 within eight weeks from the date of receipt of this order.

9. The learned counsel for the petitioner/s undertakes to furnish copy of this order to the respondent-authorities within one week from today.

10. The decision taken shall be communicated to the petitioner/s within two weeks from the date of such decision.

11. Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)