

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 5064 of 2021**

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SAIBABA COTTON INDUSTRIES

Versus

**COMPETENT AUTHORITY, NATIONAL HIGHWAY AUTHORITY OF INDIA
AND DEPUTY COLLECTOR TALAJA & ORS.**

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Appearance:

MR AJ YAGNIK(1372) for the Petitioner(s) No. 1

MR. SANJAY UDHWANI, AGP for the Respondent(s) No. 1,2

**MR. MAULIK NANAVATI, ADVOCATE FOR NANAVATI & CO.(7105) for the
Respondent(s) No. 3**

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR.JUSTICE D.N.RAY

Date : 07/04/2026

ORAL JUDGMENT

**(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

Having heard learned Counsels for the parties and perused the record, suffice it to say that the prayers made in the present petition cannot be granted on account of the dispute pertaining to the validity of the order dated 03.04.2018 passed by the Collector under Section 3G(5) of the National Highways Act, 1956 is subject matter of consideration in the writ petition being Special Civil Application No.15153 of 2022, before the learned Single Judge of this Court, as per the Roster.

The petitioner herein seeks a writ of mandamus commanding the competent authority to culminate the draft award dated 23.05.2018 into a final award, which was prepared on the remand under the order dated 03.04.2018 of the Collector.

Noticing the above, we are of the considered opinion that the reliefs prayed as in the present petition cannot be granted at this stage. The present petition is accordingly dismissed with the liberty to the petitioner to press his prayers before the learned Single Judge or before the competent authority depending upon the decision of the aforesaid writ petition pending before the learned Single Judge. It is clarified that this Court has not entered into the merits of the claims of the parties and all the rights and contentions of the parties are left open.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BINA SHAH