



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8632 OF 2024

Hanumant Ranganath Phadtare ...Petitioner

Versus

The Competent Authority for Land
Acquisition and Sub-Divisional Officer & Anr. ...Respondents

WITH
WRIT PETITION NO.8634 OF 2024

Ranjana Mahadev Kumbhar & Anr. ...Petitioners

Versus

The Competent Authority for Land
Acquisition and Sub-Divisional Officer & Anr. ...Respondents

WITH
WRIT PETITION NO.8633 OF 2024

Hanumant Ranganath Phadtare ...Petitioner

Versus

The Competent Authority for Land
Acquisition and Sub-Divisional Officer & Anr. ...Respondents

Dr. R. P. Sabban for the Petitioner in all petitions.
Mr. B. V. Samant, Addl. G. P a/w Ms. M. S. Bane, AGP for Respondent
No.1-State.
Ms. Heena Shaikh i/b. M. V. Kini & Co. for Respondent No.2-NHAI.

CORAM : M. S. Sonak &
Jitendra Jain, JJ.

DATED : 15 April 2025

PC.:-

1. We had given liberty to the Advocates to give numbers and seek circulation of their matters covered by the decision of the Hon'ble Supreme Court in the case of *Union of India Vs Tarsem Singh and Ors.*¹.

1 (2019) 9 SCC 304

2. We are sorry to note that by taking undue advantage of this notice, several praecipes have been filed by referring to the decision in *Tarsem Singh (supra)* and *Vinod Kumar & Ors. vs. District Magistrate MOU & Ors.*² to seek circulation.
3. Once the matters were taken up, we found that these were hardly the issues primarily involved in these petitions.
4. The praecipe dated 8 April 2025 listing about 13 petitions belonged this category.
5. Accordingly, let these matters come up in their usual course.
6. We requests Dr. Sabban to withdraw the praecipes if already filed, involving cases where *Tarsem Singh (supra)* issue is only one of the point involved or where *Tarsem Singh (supra)* issue is not even involved based on such praecipes.
7. Let these petitions come up in their usual course.
8. In Writ Petition No.18642 of 2024, we had granted leave to amend and add Deputy Conservator of Forest, Pune as Respondent. This amendment is carried out.
9. In the remaining Writ Petitions, the Petitioner, has carried out the amendment though, we had not granted any leave. The learned counsel for the Petitioner was allowed to carry out such amendment by the Sheristedar on account of some confusion about whether leave was granted or not granted.
10. However, very distinctly, in the other petitions, we had declined because the learned counsel for the Petitioner was unclear about which Forest Officer was to be impleaded and whether, any issue concerning the applicability of the Forest Legislation was involved.

2 2023 SCC OnLine SC 787

11. Accordingly, the amendments carried out in the remaining petitions will have to be scored off. The Petitioner in the said petitions, are however, at liberty to file interim applications giving full particulars and seeking leave to amend those petitions.

12. Since, primarily, the issue of *Tarsem Singh (supra)* and *Vinod Kumar (supra)* are not involved in these matters or are not the main issues involved in these matters, these matters should come up in their regular course.

(Jitendra Jain, J.)

(M. S. Sonak, J.)