

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2894 OF 2024

Shravan Vishwanath Kute

...Petitioner

Versus

The Competent Authority Cum Sub Divisional
Officer Bhiwandi Division And Ors.

...Respondents

Mr. Sachin Punde, for Petitioner.

Ms. Nieyati Masurkar, for Respondent No.5 and 6.

Mr. V.M. Mali, AGP for Respondent/State.

**CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.**

DATE : 4 MARCH 2024

P.C.:

. Heard learned for the parties.

2. Learned counsel for the Petitioner states that though section 3-H(5) of the National Highways Act, 1956 enables a party who is not satisfied by the amount determined, in this case, an Award, to approach an Arbitrator as regards the claim of the Petitioner regarding non payment of statutory benefits and that of non payment of compensation towards the land and only for structure will not be within competence of the Arbitrator and therefore, this writ petition is filed.

3. On this issue, learned counsel for the Respondents seeks time

to address the Court.

4. Stand over to **22 April 2024**. Let the reply of the Respondents also be filed by the next date.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)