

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**(8) WRIT PETITION NO.5170 OF 2021**

Avinash Padmakar Patil & Ors. ... Petitioners  
Versus  
The Competent Authority and the Sub-  
Divisional Officer, Palghar & Ors. ... Respondents

**(9) WRIT PETITION NO. 11023 OF 2022**

Smt. Tai Vitthal Korda & Anr ....Petitioners  
V/S  
The Competent Authority (MRVCL) and the Sub-  
Divisional Officer, Palghar & Ors. ... Respondents

**(11) WRIT PETITION NO. 11446 OF 2022**

Mangesh Madhukar Patil & Ors ....Petitioners  
V/S  
The Competent Authority And The Sub  
Divisional Officer And Ors ....Respondents

**(13) WRIT PETITION NO. 5567 OF 2024**

Smt. Santi Manakya Sutar & Ors ....Petitioners  
V/S  
The Competent Authority (Expresswary) &  
Sub Divisional Officer & Ors ....Respondents

Adv. Prajakt Arjunwadkar a/w. Adv. P. S. Hande, Adv. J. B. Gharat, Adv. O. S. Shinde for Petitioner in all WPs.

M. S. Bane for the Respondent-State in WP/5170/2021

Shri. A. I. Patel, Addl. GP a/w G. R. Raghuwanshi, AGP for Respondent-State in WP/11023/2022

P. M. J. Deshpande, AGP for the Respondent-State in WP/5567/2024

A. I. Patel, Addl. GP a/w. Tanu Bhatia, AGP for the Respondent-State in WP/11446/2022

**CORAM: MANISH PITALE &  
SHREERAM V. SHIRSAT, JJ.**

**DATE: 26<sup>th</sup> FEBRUARY 2026**

**P.C.**

1. According to learned Counsel for the Petitioners common issue arises in these Petitions. It is submitted that this Court may consider referring the matter to the competent Principal Civil Court of original jurisdiction as the dispute raised by the Petitioners pertain to apportionment of compensation. It is submitted that these Petitions pertain to identical provisions contained in the National Highways Authority, 1956 and Railways (Amendment) Act, 2008.

2. In the WP/5170/2021, this Court issue notice by the order dated 29/07/2025. The office note shows that Respondent No. 1 is appearing through learned AGP, while the Respondent Nos. 2, 4, 11, 13 to 21 have been duly served. It is further recorded that as per the bailiff report the Respondent Nos. 3 and 12 have expired.

3. Learned Counsel for the Petitioners submits that appropriate instructions will be taken in respect of said Respondents before the next date of listing.

4. In other Petitions i.e. WP/11023/2022, WP/11446/2022 and WP/5567/2024, it appears that even notices have not been issued.

5. Hence, issued notices in WP/11023/2022, WP/11446/2022 and WP/5567/2024, returnable on 30/03/2026.

6. Learned AGP waives notice for the Respondent No. 1-Competent Authority in all Writ Petitions.
7. Petitioners are additionally permitted to serve the private Respondents way of private service and to file affidavit of service before the next date of listing.
8. WP/5170/2021 shall also be listed on 30/03/2026.

**(SHREERAM V. SHIRSAT, J.)**

**(MANISH PITALE, J.)**