

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

WRIT PETITION NO. 13311 OF 2025

Mohmed Latif Abdul Ruf Faruqui & Ors. ... Petitioners
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. R. N. Kachave for the Petitioners.
Mrs. Pooja Patil, AGP for Respondent-State.

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

DATE : 3rd FEBRUARY 2026

P.C. :

. The learned counsel for the petitioners submits that the petitioners are aggrieved for the reason that possession of their premises is likely to be taken by the respondent-State Authority, while adequate compensation is not paid to them.

2. The documents on record show that as regards some of the petitioners, the compensation amount has been determined in terms of acquisition proceedings undertaken under the National Highways Act, 1956. The learned AGP submits that the documents on record even indicate that some of the petitioners were informed about the determination of such compensation amounts and that they could collect the amounts determined. It is not clear with regard to some of the petitioners, as to in what manner the acquisition proceedings have culminated.

3. *Prima facie*, we find that this petition cannot be entertained, for the reason, firstly that if the petitioners are aggrieved by the quantum of compensation determined, they can invoke Section 3G(5) of the National Highways Act, to approach the Arbitrator and secondly, if the petitioners are not aggrieved by the quantum of compensation determined, they can pick up the compensation and vacate the premises.

4. The learned AGP to take instructions with regard to all the petitioners in this petition, so that an appropriate order can be passed on the next date of listing.

5. List for further consideration on 9th March 2026 (High on Board).

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)