

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11831 OF 2019

Vishwanath Keshavrao Kadam and
others through GPA Dilip Ramrao Kadam.. Petitioners

Versus

The Competent Authority under the
National Highways Act/The Sub
Divisional Officer and others .. Respondents

Shri P. V. Mandlik, Senior Advocate i/by Shri P. P. Mandlik,
Advocate for Petitioners.

Shri A. B. Dhongade, Advocate for the Respondent No. 1.

Shri A. B. Chate, A.G.P. for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 25TH SEPTEMBER, 2019.

ORDER :

. Objection filed by petitioners U/Sec. 3-H(4) of the National Highways Act is rejected. According to the petitioners, the petitioners are owners of the acquired property. The documents are filed to that effect. The competent authority ought to have referred the dispute to the Principal Court of Original Civil Jurisdiction.

2. Issue notice to respondents, returnable on 20.11.2019. Mr.

Dhongade, the learned counsel waives notice for the respondent No. 1. The learned A. G. P. waives notice for the respondent No. 2. Humdast allowed.

3. Till then if the payment has not been made, same shall not be made to any party pursuant to the impugned order.

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 19