

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.2391 OF 2015

Smt.Anusayabai w/o Namdeo Raut
and another

Petitioners

Versus

The Divisional Commissioner
(Land Acquisition), Aurangabad
and others

Respondents

Mr.C.K.Sonawane, advocate for petitioners.
Mrs.M.A.Deshpande, A.G.P. for Respondents No.1 to 3.
Mr.Sudhir Bhalerao, advocate for Respondent No.4.

WITH
WRIT PETITION NO.2398 OF 2015

Sainath s/o Asaram Tagad & others

Petitioners

Versus

The Principal Secretary,
Rural Development & Water
Conservation, Mantralaya, Mumbai
and others

Respondents

Mr.C.K.Sonawane, advocate for petitioners.
Mr.S.G.Karlekar, A.G.P. for Respondents No.1 to 4.
Mr.Sudhir Bhalerao, advocate for Respondent No.5.

WITH
WRIT PETITION NO.2441 OF 2015

Bala s/o Rangnath Khadke

Petitioner

Versus

The Divisional Commissioner
(Land Acquisition), Aurangabad
and others

Respondents

Mr.C.K.Sonawane, advocate for petitioners.
Mr.S.G.Nandedkar, A.G.P. for Respondents No.1 to 3.
Mr.Sudhir Bhalerao, advocate for Respondent No.4.

**CORAM : R.M.BORDE &
P.R.BORA, JJ.**

DATE : 21st July, 2015

PER COURT:

1 The petitioners are seeking directions to the Respondents to release decretal amount towards enhanced compensation awarded in Land Acquisition References.

2 It is not a matter of dispute that the execution petition has been presented in the year 2014 in the Court of 2nd Joint Civil Judge, Senior Division, Aurangabad, and about 40% amount has been recovered.

3 It would be open for the petitioners to adopt remedy available under Order XXI of the Code of Civil Procedure for enforcing recovery of balance amount. In exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for in the peculiar facts and circumstances of this case. Writ Petition is devoid of substance.

4 Writ Petitions stand dismissed.

**P.R.BORA
JUDGE**
adb/wp239115

**R.M.BORDE
JUDGE**