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

WRIT PETITION NO.9728 OF 2013

Shamla Rajan Waikar and Ors.	... Petitioners
Vs.	
The State of Maharashtra and Ors.	... Respondents

**WITH
WRIT PETITION NO.9729 OF 2013**

Kailas Maruti Hande and Ors.	... Petitioners
Vs.	
The State of Maharashtra and Ors.	... Respondents

**WITH
WRIT PETITION NO.9730 OF 2013**

Sonabai Hariba Bhoir and Ors.	... Petitioners
Vs.	
The State of Maharashtra and Ors.	... Respondents

Mr. Sachin S. Pande, for the Petitioners.

**CORAM : A.S. OKA &
A.P. BHANGALE, JJ.**

DATE : 31st MARCH, 2015

PC.

. The learned counsel appearing for the Petitioners does not dispute that the amount payable as per the Awards made by the Land Acquisition Officer under Sub-Section (1) of Section 28A of the Land Acquisition Act, 1894 has been deposited. He, however, states that the Awards of which enforcement was sought by these Petitions impose a

condition of the Petitioners furnishing bank guarantee. He submits that in view of the subsequent directives of the Reserve Bank of India, the Petitioners may not be able to furnish bank guarantee.

2. If the aforesaid contention is to be considered, the Petitioners will have to challenge the condition incorporated in the Awards in accordance with law. In these Petitions, where the enforcement of the Awards is sought, such a grievance cannot be entertained.

3. As the amounts payable under the Awards has been deposited, we dispose of the Petitions. However, it will be open for the Petitioners to file appropriate proceedings in accordance with law for challenging the condition imposed in the Awards of furnishing bank guarantee. No adjudication is made on merits.

(A.P. BHANGALE, J)

(A.S. OKA, J)