

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

WRIT PETITION NO. 5038 OF 2016

Vithal Laxman Dahawale and others ...PETITIONERS

versus

The State of Maharashtra and others ...RESPONDENTS

.....
Mr. D.A. Bide, Advocate for petitioners
Mr. N.B. Patil, AGP for respondents.
.....

**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 4th MAY, 2016.

Order :-

1. Issue notice to respondents. Learned Assistant Government Pleader waives service of notice for respondents.
2. A communication which is assailed in present writ petition is internal communication between the Deputy Commissioner(EGS) and the Collector. It is submitted that Reference is decided and against decision in said reference respondents have filed an appeal in this court. This Court has passed conditional order while granting stay i.e. stay to the impugned judgment and award passed by the Reference Court on condition the appellants deposits 75% of the amount under impugned award within a period of eight weeks. According to learned counsel for petitioners the amount is not yet deposited.

3. In that case, the petitioners are at liberty to take appropriate steps as communication which is agitated in present writ petition is internal communication between Deputy Commissioner (EGS) and the Collector. In view of the above, we are not entertaining the present writ petition.

4. Writ petition stands disposed of. No costs. In case, some orders are passed against the petitioners or some communication is made to them, then the petitioners are at liberty to assail the same.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK