

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.15916 OF 2016
(The Secretary, Mahatma Fule Janjagruti and another Vs. Shubhangi
Bhausahab Rahinj and others)
IN
WRIT PETITION NO.7143 OF 2015

Mr.B.G.Sagade, Advocate for the applicant.
Mr.A.N.Kakade, Advocate for respondent No.1.
Mr.N.T.Bhagat, AGP for respondent Nos. 2 and 3.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 07/12/2016

PER COURT :

1. I have heard the learned Advocate for the applicant who has strenuously taken me through the pleadings in the civil application and the prayers put forth.

2. Mr.Kakade, learned Advocate appears on behalf of non applicant No.1/ employee and the learned AGP appears on behalf of non applicant Nos.2 and 3.

3. Mr.Kakade submits that though the *Jangam Warrant* has been issued against applicant No.2 by the Executing Court by order dated 20/09/2016 in Spl.Dkt.No.115/2015, these applicants have gathered about 200 students and had placed these students in between the

school and the Executing Party so as to prevent the execution of the *Jangam Warrant*.

4. Be that as it may, I had granted conditional relief to the applicants by order dated 01/03/2016 in the pending WP No.7143/2015. The applicants do not dispute that the condition imposed has not been complied with by the applicants. The interim protection has therefore been automatically vacated without reference to this Court and therefore non applicant no.1 / employee acquired the right to seek execution of the impugned judgment.

5. In the light of the above, this civil application is without any merit and is, therefore, rejected.

(RAVINDRA V. GHUGE, J.)