

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

BENCH AT AURANGABAD.

WRIT PETITION NO.2132 OF 2017

Sandipan S/o Ambadas
Jagdale and another. ... Petitioners.

Versus

The State of Maharashtra
and others. ... Respondents.

...

**WITH
WRIT PETITION NO.2133 OF 2017.**

Mr.P.A.Bharat, advocate for the petitioners.
Mr.A.S.Shinde, A.G.P. for the State.
Mr.Suresh Rodge, advocate for Respondent No.3.

...

**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 12.02.2018.

PER COURT :

1. It is stated that against the award passed by the Reference Court in the year 2012, the Respondents have not filed any appeal. The execution is filed in the year 2014. Even

warrant of attachment is issued but amount is not paid.

2. The learned counsel for Respondent No.3 submits that the Respondent No.3 is not liable to pay the amount. The award is against both the Respondents.

3. Considering above, we pass the following order :

a) The petitioners may take further steps in the Execution proceedings. The Respondents as have not filed appeal are also bound to honour the award passed by the Reference Court.

b) The petitioners may file further application in the Executing Court for issuance of warrant of attachment and also take other steps.

c) Considering the execution is pending, if the petitioners take steps for issuance of warrant and still the amount is not paid by the

Respondents then the Respondents shall make the payment as per the award of the Reference Court and if there is no order of stay to the award passed by the Reference Court, within a period of one year.

d) The Writ Petitions are disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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