

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO.10687 OF 2018
IN FA/2050/2016

PANDURANG BANSILAL BHUTADA
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION
DIVISION, BEED AND OTHERS

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Advocate for Applicants : Mr. Bide Dnyaneshwar A
Mr. AM Phule, AGP for Respondent 2.

CORAM : P.R.BORA, J.

DATE : 23rd August, 2018.

PER COURT :

1) By filing the present civil application, the applicant is seeking modification of the order passed in the execution proceedings by the executing court on 14.06.2018.

2) From the record, it is quite evident that there was no stay from this court for execution of the Award passed in the Reference Application No.116/2010. On the contrary, the record shows that this court, vide order passed on 20th September, 2017, had clarified that the respondent/s, i.e. Original claimants are at

liberty to execute the Award before the Executing Court by following appropriate remedies under the law.

3) In view of the fact that there was no stay from this Court, the Executing Court was at liberty to pass appropriate orders in accordance with law. If at all the applicant is aggrieved by the order passed by the Executing Court, he can resort to appropriate remedy for challenging that order. However, the present application cannot be entertained and stands rejected.

(P.R.BORA)
JUDGE

bdv/