

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2702 OF 2017

Lokegaonkar Narayan Ekanath

..Petitioner

Versus

The State of Maharashtra and Ors.

..Respondents

**Mr. Mihir Desai, Senior Counsel, i/by Ms. Priyanka Parth Dave,
Advocate for the Petitioner.**

**Ms. Jyoti Chavan, Asst. Government Pleader for Respondent
No.1 State.**

Ms. Shilpa Madki, i/by Ms. Neha Bhide for Respondent No.2.

Mr. Jitendra Mishra for Respondent Nos.4 and 5.

CORAM : B. R. GAVAI &

B. P. COLABAWALLA, JJ.

DATE : 31st JANUARY, 2018

P.C.

1. Petitioner has approached this Court for the direction to Respondent Nos.2 and 3 to execute the decree and order dated 07.04.2015 passed by the Ld. Presiding Officer, School Tribunal Mumbai.

2. Affidavit-in-Reply is filed by the I/c. Registrar of the City Civil & Session Court, Greater Mumbai. It is stated thus in Para 4:-

*“The Petitioner is required to make a fresh application for execution under order 21 rule (10)/11(2) of the Code of Civil Procedure, 1908. On receipt of the said execution application in the prescribed format along with an affidavit in support of the same, this Responded shall deal with the same in accordance with law. The prescribed format of the execution application is annexed hereto as **Exhibit-B.**”*

3. In that view of the matter, we find that the grievance of the petition stands served. In the event, the petitioner makes an application stated in Para 4. The authority shall decide the same in accordance with law.

4. Petition is disposed of.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]