

Arun

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

**EXECUTION APPLICATION NO. 2030 OF 2015**

**IN**

**AWARD DATED 12TH MAY 2012**

Atlanta Limited

... Decree  
Holder/  
Applicant

*Versus*

Government of Maharashtra Public Works  
Department

...Judgment  
Debtor

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**Mr Mukesh Vashi, Senior Advocate, Ms Aparna Deokar, i/b MP  
Vashi & Associate, for the Decree Holder.**

**Mr NV Walawalkar, Senior Advocate, with DB Khaire, for  
Judgment Debtor.**

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**CORAM: G.S. PATEL, J**

**DATED: 14th June 2018**

**PC:-**

1. It appears that the Award dated 12th May 2012 was challenged. There are two subsequent orders of the first appellate Court and second appellate Court. I am given to understand that the award has been slightly modified in appeal at least in regard to the amount due to the Claimant/Decree Holder. That being so, Mr

Vashi's application today for withdrawal of the present Execution Application will have to be permitted with liberty to file fresh Execution Application in terms of the award or claim as modified by the appellate Court.

2. Leave granted with liberty as prayed. Registry will number the fresh Execution Application that has already been lodged.

3. Given that this is an award against the Government of Maharashtra in its Public Works Department, I would only request the Claimant to give notice of any application made for issuance of a warrant of attachment to avoid embarrassment. This is only a request as there is no such mandatory provision for notice in law.

4. The original Award is to be returned to the Advocate for the Claimant. For completeness of record an authenticated copy will be retained on file.

**(G. S. PATEL, J)**