

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

948 WRIT PETITION NO.3252 OF 2019

KALPANABAI JULAL PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.P.A. Kulkarni
AGP for Respondents: Ms. P.V. Diggikar

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WITH

WRIT PETITION NO. 3247 OF 2019

SITARAM NATHU NIKAM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3248 OF 2019

SUPDU DEORAM PATIL (DIED)THROUGH L.RS DATTATRAYA S/O
SUPADU PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3249 OF 2019

SHEVANTABAI GOVINDA PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3250 OF 2019

SAKHUBAI RAMJI PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3251 OF 2019

MADHAV TANHAJI PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3253 OF 2019

SANTOSH BARKU PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3254 OF 2019

SANTOSH GOPJI SHINDE THROUGH LRS UMANBAI SANTOSH
SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3255 OF 2019

VITHAL HARI MANG BHISE THROUGH LRS JIJABAI VITHAL
BHISE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 3256 OF 2019

MAHADU SITARAM MAHAJAN (DEAD) THROUGH LRS THAGUBAI
W/O MAHADU MAHAJAN (BIRADI)

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

WITH

WRIT PETITION NO. 4139 OF 2019

DAGDU RAIBHAN PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

**CORAM : PRASANNA B. VARALE &
SUNIL K. KOTWAL, JJ.**

DATE : 28th MARCH, 2019

O R D E R :

Heard Mr. Kulkarni, learned counsel for petitioners. He fairly submitted before us that though in prayer clause 'C', the petitioner prayed for direction to deposit amount of compensation. The petitioner is not pressing for prayer clause 'C' but the petitioner is pressing for prayer clause 'D'. It is not necessary for us to refer the facts that there

was long term proceeding in the form of filing of reference before the learned Civil Judge, Senior Division, Aurangabad and order passed by the learned Civil Judge, Senior Division on 21.12.1998 on the claim petitions and the application submitted to the Civil Judge, Senior Division, Aurangabad for execution of the decree. The grievance of the petitioners is that though this application is filed some time in the year 2009, the same is pending before the Court for years together. Mr. Kulkarni, invited our attention to the order of this Court in identical circumstances dated 26.2.2010 in Writ Petition No. 8288 of 2009. Considering the above referred facts and situation, we shall not take different view than the one adopted by the Division Bench of this Court in order dated 26.2.2010. Accordingly, petition is disposed of with liberty to the petitioners to move a formal application before the Executing Court for expeditious hearing of the execution proceedings. If such application is filed,

we hope and trust that the executing Court will take appropriate steps so that the execution proceedings are decided, as expeditiously as possible and in the case, within six months from the date of proposed application to be filed by the petitioner. The petitions are disposed of with above referred directions.

(SUNIL K. KOTWAL, J.)

(PRASANNA B. VARALE, J.)

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