

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

WRIT PETITION NO. 8272 OF 2018

Ramchandra S/o. Parshuram Phad & Anr. Petitioners

Versus

The State of Maharashtra & Ors. Respondents

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Shri. Anup D. Mane h/f Smt. Sujata L. Puri, Advocate for the
petitioner

Smt. Geeta L. Deshpande, AGP for respondent/State

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALÉ, JJ.**

DATE : 12TH FEBRUARY, 2019

ORAL ORDER:

. The petitioner has challenged the impugned order wherein the petitioner is allowed to withdraw the amount on furnishing Bank Guarantee and execution of Indemnity Bond.

2. It is submitted by the learned counsel for the petitioner that the respondents have not filed any appeal against the award dt. 23.06.2012 passed by the Reference Court in LAR No. 214/2011.

3. The condition directing submitting of Bank Guarantee in execution proceedings by the Executing Court is onerous condition.

4. Considering the above, we pass the following order.

ORDER

In case there is no stay to the award passed by the Reference Court in LAR No. 214/2011 dt. 23.06.2012, then the said condition of furnishing of Bank Guarantee stands set aside.

5. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde