

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

903 WRIT PETITION NO.5533 OF 2019

**YADAVRAO MUKUNDRAO NEMMANIWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**Advocate for Petitioner : Mr Vibhute Sunil M.
AGP for Respondents State: Mr S G Karlekar**

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 3rd October, 2019

ORDER:

1. The grievance of the petitioner is that the respondents have moved application for closure of the proceedings on the ground that decree has been satisfied. According to the petitioner, entire amount under the execution is not received by the petitioner.

2. The petitioner can file application stating the exact amount receivable by the petitioner pursuant to the judgment and order passed by the High Court in the Appeal and to be executed as per the decree. It is for the executing court to arrive at conclusion as to the exact amount due and payable to the petitioner. The petitioner may move the executing court for the said purpose. The executing court certainly will consider the calculations given by both the sides and arrive at appropriate

conclusion. The said exercise shall be done expeditiously, considering that the reference is pending since long.

3. Writ petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC