

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

21 WRIT PETITION NO.12499 OF 2018

RAGHUNATH NAMDEO PADULE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Mahendra B. Kolpe, Advocate for the Petitioner.

Mr. S. M. Ganachari, AGP for Respondents-State.

...

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

DATED : 26th FEBRUARY, 2019.

PER COURT:-

1. The petitioner has filed execution proceeding before the District Consumer Forum, Beed. It is submitted by the learned counsel that the same is not proceeded with. If the judgment and order passed by the District Consumer Forum in favour of the petitioner is still in force and is not stayed by any competent forum or the Court, then the District Consumer Forum is required to proceed ahead for execution as per Section 25 of the Consumer Protection Act. If the petitioner approaches the District Consumer Forum, the District Consumer Forum also has power to issue certificate for the said amount to the Collector of the District and the Collector has to proceed to recover the amount in the same manner as arrears of

land revenue. The same is in addition to the other means provided to recover the amount. The petitioner may request the District Consumer Forum to proceed as per the same. The District Consumer Forum shall consider the application of the petitioner on its own merits, expeditiously and pass appropriate orders. The same be considered in tune with Section 25 of the Consumer Protection Act on its own merits, expeditiously and preferably within a period of three months.

2. Writ Petition is disposed of. No costs.

(A. M. DHAVALA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE