

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

WRIT PETITION NO. 9851 OF 2018

Hafijabee W/o. Sayed Jakeriya (Died)
through L.R's
1-A] Julekha Shafi Zakeria Petitioner

Versus

The State of Maharashtra & Ors. Respondents

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Shri. S.L. Bhapkar, Advocate for the petitioner
Shri. P. K. Lakhotiya, AGP for respondent/State
Shri. H. V. Tungar, Advocate for respondent No. 6
Shri. Bhushan Kulkarni, Advocate for respondent No. 7
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**CORAM : S. V. GANGAPURWALA
AND
A. M. DHAVAL, JJ.**

DATE : 1ST APRIL, 2019

ORAL ORDER:

1. We have heard learned counsel for the respective parties.
2. The petitioner seeks execution of the award passed by the reference Court. The petitioner has filed Land Acquisition Reference Darkhast No. 157/2011. In the said Darkhast, even the property of acquiring body was put to auction but bidders were not received.
3. It is submitted that, the acquiring body has put its property to sell and a public notice has been issued on 20.03.2019 in daily newspaper 'Divya Marathi' for sale of its property as detailed in the proclamation.

4. The State and Acquiring Body are jointly and severally liable to pay the amount to the petitioner as per the award passed by this Court.
5. Naturally when the property is put to sell, one month's notice is given.
6. The acquiring Body shall deposit the amount that would be received from the said office's assets with the executing court where the Darkhast filed by the petitioner is pending.
7. In case, the acquiring body does not receive any bidder within a period of three months from today or the sale proceeds received are not sufficient to satisfy the decree, then the acquiring body and the State who are jointly and severally liable to pay the amount shall deposit the said amount with the executing Court within six months thereafter.
8. The Writ Petition is disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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