

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

926 CIVIL APPLICATION NO. 9528 OF 2019
IN FAST/12960/2019

THE STATE OF MAHARASHTRA AND ANR
VERSUS
LAXMIBAI DATTU DUDHABHATE

...
AGP for applicant No. 1: Mr. R.B. Bagul
Advocate for Applicant No. 2 : Mr. Hemraj P. Kshirsagar
Advocate for Respondents-claimants : Mr. M.R. Malpani holding for
Mr. Shankar S. Adawale

...
WITH CA/9526/2019 IN FAST/12388/2019

...
CORAM : K.K. SONAWANE, J.
DATED : 22nd JANUARY, 2020.

ORDER :-

1. Heard learned AGP for respondent No. 1, learned counsel for the applicant No. 2 - Acquiring Body and respondents-original claimants. Perused the applications and other relevant documents on record.
2. This Court under order dated 23-08-2020 while issuing notices to the respondents-claimants, noted the absence of learned counsel appearing for applicant No. 2 Acquiring Body. Be that as it may, since August, 2019 till today Acquiring Body did not take efforts for depositing the amount. In these circumstances, there is no propriety to prohibit respondents - claimants from execution of the award, which came to be passed by learned Reference Court in the year 2012. Therefore, civil applications for stay deserve to be dismissed. Accordingly, civil applications for stay stand dismissed with liberty to the claimants - respondents to proceed for execution of the award so as to recover the decretal amount.
3. Registrar (Judicial) to inform the concerned Executing Court to proceed with the Execution Proceedings, if any, filed on behalf of respondents-original claimants at the earliest.

Sd./-

[K. K. SONAWANE]
JUDGE