

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

**929 CIVIL APPLICATION NO. 11926 OF 2019
IN FAST/27295/2019**

THE STATE OF MAHARASHTRA AND ORS
VERSUS
BIBHISHAN HARISHCHANDRA SHERKHANE

...
AGP for Applicants : Mr. S.N. Morampalle
Respondents Served

...
WITH CA/11929/2019 IN FAST/27301/2019

...
CORAM : K.K. SONAWANE, J.

DATED : 05th MARCH, 2020.

ORDER :-

1. This Court under order dated 5th October, 2019 granted interim relief to the execution of the Award under appeal subject to deposit of entire decretal amount on or before 20-02-2020. The condition was also imposed while granting stay that in case amount is not deposited on or before that date, the application shall be treated as there shall be no stay to the execution of Award and time limit will not be extended.
2. Learned AGP fairly contends that there were communications to the concerned department for depositing the amount, but entire efforts found unavailing. In view of conditional order passed by this Court as referred above, no prohibitory order in the form of stay is in existence. Therefore, present application became infructuous one and deserves to be rejected. Accordingly, applications for stay stand dismissed with liberty to the respondents - claimants to execute the award as per provisions of law.

**[K. K. SONAWANE]
JUDGE**