

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

59 WRIT PETITION NO.4949 OF 2021

BHATU TANKU SONWANE
VERSUS
NATIONAL HIGHWAY AUTHORITY OF INDIA AND ANOTHER

...
Advocate for Petitioner : Mr. Kulkarni Mukul S.
Advocate for Respondent 1 : Mr. D.S. Manorkar
AGP for Respondent 2 : Mr. K.N. Lokhande
...

63 WRIT PETITION NO.5012 OF 2021

RAMESH JAYAWANT DESALE
VERSUS
NATIONAL HIGHWAY AUTHORITY OF INDIA AND ANOTHER
Advocate for Petitioner : Mr. Kulkarni Mukul S.
Advocate for Respondent 1 : Mr. D.S. Manorkar
AGP for Respondent 2 : Mr. P.K. Lakhotiya

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**

DATED : 05/07/2021.

PER COURT :

. We have heard learned counsel Shri. M.S. Kulkarni for the petitioners and Mr. D.S. Manorkar for respondent No. 1. In these matters, after the award is passed by the Arbitrator, the acquiring body had moved the District Judge under section 34 of the Arbitration Act. The District Judge dismissed the application under section 34. Aggrieved thereby the acquiring body has filed appeal before this Court under section 37 of the Arbitration Act.

2. In the present writ petitions, the petitioners/

claimants seek direction against the respondents to deposit the amount.

3. In the companion writ petitions wherein the matters are pending before the District Judge under section 34, we have directed the acquiring body to deposit the amount before the District Judge.

4. In the present matters, the matters are now pending before this Court exercising first appellate jurisdiction, the petitioners can make request before the Court where the appeals filed by the acquiring body are pending for directions against the acquiring body to deposit the amount in the court.

5. It would not be appropriate on our part to issue directions in the matters pending before the co-ordinate bench.

6. In view of the above, the writ petitions are disposed of with the aforesaid observations and the liberty to the petitioners.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

ssc/