

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

918 WRIT PETITION NO.12591 OF 2021

KAUSHALYABAI MADHUKARRAO CHIDRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Rodge Krishna P.
AGP for Respondents State : Mr. P.S. Patil
...

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, JJ.**
DATED : 18/11/2021.

PER COURT :

1. We have heard Mr. Rodge, learned advocate for the petitioner and the A.G.P. The petitioner is claiming enhanced compensation as awarded by the Reference Court under section 18 of the Land Acquisition Act.

2. We would certainly have entertained the petition, if the the petitioner had taken steps in accordance with law and the procedure.

3. In the present case, the petitioner has not ventured to file the execution proceedings and has directly approached this Court seeking implementation/execution of the award by the reference court.

4. We would have entertained the petition, if the petitioner

had earlier approached the executing Court and for reasonable time no further compliance is made by the authorities for complying the award.

5. In the light of above, we refrain to entertain the petition. The petitioner is at liberty to file the execution proceedings for executing the award passed by the Reference Court and if for reasonable time after the petitioner takes step to attach the property of the respondents, the decree is not executed, then the petitioner may approach this Court.

6. With the aforesaid observations, writ petition is disposed of. No order as to costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

ssc/