

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

915 WRIT PETITION NO.4399 OF 2022

**PADMABAI PREMRAJ LUNAWAT THROUGH G P A
SHAIKH ADIL SHAIKH FAROOQUE AND OTHERS
VERSUS
THE MUNICIPAL COUNCIL BEED AND OTHERS**

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Advocate for petitioners : Mr. S.S. Kazi
Advocate for Respondent No.1 : Mr. D.D. Deshmukh h/f.
Mr. G.K. Naik Thigle
Advocate for Respondent No.2 : Mr. H.V. Tungar

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WITH

**CIVIL APPLICATION NO.14261 OF 2022
IN WP/4399/2022**

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CORAM : SANDEEP V. MARNE, J.

DATE : 24-11-2022

PER COURT :

. Petitioners have assailed the order dated 03.01.2022 by which their application at Exh.14 seeking police protection for erection of fence on the suit property has been rejected. The execution proceedings bearing Regular Darkhast No.21 of 2021 is still pending. In the pending execution proceedings, the application was filed at Exh.14 for provision of police protection for the purpose of erection of fencing on the plot. Since the execution proceedings i.e. R.D. No.21 of 2021 is pending, it would be in the interest of justice that the execution proceedings be taken up for hearing and decided.

2. The writ petition is disposed of with a request to the Civil Judge Senior Division, Beed to expedite the hearing of the execution proceedings bearing Regular Darkhast No.21 of 2021 and to make an endeavour to decide the same within a period of six months from today. The executing Court shall not be influenced by any of the observations made in the order dated 03.01.2022 and the execution proceedings shall be decided on its own merits.

3. All the points raised by the decree holder as well as judgment debtor are left open.

4. Civil Application disposed of.

(SANDEEP V. MARNE, J.)