

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1819 OF 2022

RAMKISAN BABASAHEB KALASE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioners : Shri Jayabhar Dattatraya R.
AGP for the Respondents/State : Shri S.K. Tambe
...

CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 17th October, 2022

Per Court :-

1. The petitioners desire that this Court should exercise jurisdiction of the Executing Court and commence the execution proceedings to recover their unpaid enhanced compensation amount.
2. It is informed that the Regular Darkhast is also filed before the Executing Court.
3. By the order dated 24.08.2022 delivered in Civil Appeal No.5256/2022 (*National Highways Authority of India vs. Sheetal Jaidev Vade, 2022 SCC Online SC 1070*), the Honourable Supreme Court has strictly disapproved the

entertaining of writ petitions by the High Courts under Article 226 of the Constitution of India for permitting the execution of decree and converting itself into an executing court.

4. In view of the above, this Writ Petition is dismissed.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)