

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**WRIT PETITION NO.3873 OF 2019**

SHAIKH RAHIM SHAIKH MOHAMMAD AND ANOTHER  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. Ashok A. More, Advocate for the petitioners.  
Mr. A.S. Shinde, A.G.P. for respondent Nos. 1 to 3.

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CORAM : C.V. BHADANG AND  
SANDIPKUMAR C. MORE, JJ.

DATE : 7 JULY 2022

**ORDER :**

We find that this petition is misconceived as it seeks the enforcement / execution of a judgment and decree passed by this Court dated 11 September 2017 in First Appeal No. 2273 of 2014.

2. The residential and commercial property of the petitioner has been acquired by the respondent Public Works Department (PWD) for which compensation was determined. Being dissatisfied by the same, the petitioner approached the Reference Court under Section 18 of the Land Acquisition Act, 1894 and sought further enhancement before this Court in First Appeal No. 2273 of 2014, which accordingly has been partly allowed. Now it is for the petitioner to execute the said decree in accordance with law.

3. The learned Counsel for the petitioner states that the execution for enforcement of the award / decree is already filed and is pending before the Executing Court.

4. In such circumstances, we decline to entertain this petition, which is accordingly disposed of. Needless to mention that, the petitioner shall be at liberty execute the decree before the competent Civil Court.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.