

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.4216/2022

Harichand Rathod V The State of Maharashtra and others

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Mr. R.J. Shinde, Advocate for petitioner.
 Mr. N.R. Patil, AGP for respondent nos. 2 to 3.

CORAM : AVINASH G. GHAROTE, J.
DATE : 01-08-2022

Since the issue of additional compensation being awarded and its payment, can be challenged by way of fresh execution, I do not see any infirmity with the impugned order dated 17-02-2021, which reject the application for recovery, made in Special Execution No. 7/2019 which already stood finally disposed of on 30-07-2019, as fully satisfied in respect of the claim raised therein.

2. Hence, there is no merit in the petition, the same is dismissed.

3. Needless to say that it would be open for the petitioner to file fresh execution for the enhanced amount in case, the same is permissible in law.

(Avinash G. Gharote, J.)