

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

**WRIT PETITION NO.3333/2021**

**Maharashtra Housing and Area Development Board Through its Chief Officer Civil**  
**Lines, Chandrapur**

**...Versus...**

**Ramesh Namdeo Hiwarkar and others**

**with**

**WRIT PETITION NO.3335/2021**

**Maharashtra Housing and Area Development Board Through its Chief Officer Civil**  
**Lines, Chandrapur**

**...Versus...**

**Shri Namdeo s/o Sambhaji Yede and others**

**with**

**WRIT PETITION NO.3349/2021**

**Maharashtra Housing and Area Development Board Through its Chief Officer Civil**  
**Lines, Chandrapur**

**...Versus...**

**Shri Daulat s/o Vithu Hiwarkar and others**

**with**

**WRIT PETITION NO.955/2022**

**Maharashtra Housing and Area Development Board Through its Chief Officer Civil**  
**Lines, Chandrapur**

**...Versus...**

**Shri Mahadeo s/o Motiram Hiwarkar and others**

-----  
Office Notes, Office Memoranda of Coram,  
appearances, Court's orders or directions  
and Registrar's orders  
-----

Court's or Judge's orders

-----  
Shri Bhushan Mohta, Advocate for petitioner in all petitions  
Shri Kunan Nalamwar, Advocate for respondent nos.1 to 7 in WP No.3333/21, for  
respondent nos.1 to 3 in WP No.3335/21, for respondent no.1 in WP No.3349/21 & for  
respondent nos.1 & 2 in WP No.955/22  
Shri N.Y. Thengre, Advocate for respondent nos.2-b, 2-c (i to iii) in WP No.3349/21  
Shri N.R. Patil, AGP for respondent no.8 in WP No.3333/21, for respondent no.4 in  
WP No.3335/21 and for respondent no.3 in WP No.3349/21 & WP No.955/22  
-----

**CORAM : AVINASH G. GHAROTE, J.**

**DATE : 16/03/2023**

1. Shri Bhushan Mohta, learned counsel for the petitioner in all petitions, upon instructions, makes a statement that the participation of the petitioner in the execution proceedings would be restricted to the calculations to be brought to the notice of the Executing Court for the purpose of determining the quantum of the compensation payable to the claimants and nothing more, accepting which statement, the impugned orders are hereby quashed and set aside and the petitioner, in all petitions, is allowed to participate in the execution proceedings, however, to the above extent and nothing else. The application for impleadment of the petitioner to the execution proceedings is allowed, however, limited to the extent, as indicated above.

2. It is also made clear that neither the petitioner, in all petitions, nor the Executing Court can now go beyond the award, which already stand affirmed by this Court.

3. The writ petitions are accordingly allowed in the above terms with no order as to costs.

**(AVINASH G. GHAROTE, J.)**

Wadkar