

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

WRIT PETITION NO.2595 OF 2022

Shravan S/o Tuljaram Ahir .Vs. Maharashtra Government through Collector, Akola
Tq. And Dist. Akola and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.M. Tiwari, Advocate for the petitioner.

Ms H.N. Jaipurkar, A.G.P. for the respondent Nos.1 and 2/State.

CORAM : ANIL S. KILOR, J.

DATED : 18/01/2023

1. Heard.

2. In this writ petition, order dated 13.10.2021 passed by the learned Civil Judge Senior Division, Akola in execution proceedings is under challenge, whereby, the learned Civil Judge Senior Division, Akola directed the Assistant Superintendent of the Court to return Exh.1 to the concerned advocate by placing the xerox copy of the same, for its proper presentation, by holding that the Civil Judge Senior Division, Akot has jurisdiction.

3. In this case, admittedly the petitioner is resident of Akot and he is claiming enhanced amount granted under the land acquisition proceedings. The only ground is that two of the parties against whom the award needs to be executed, the Collector of Akola and also the

office of the acquiring body are at the Akola therefore, according to the petitioner the execution proceeding at Akola is maintainable. Admittedly, the office of the land acquisition officer is at Akot and the petitioner who is the decree holder, he is also resident of Akot. The land acquisition proceeding is in relation to Mouza Khanapur, Tq. Akot, District Akola. The enhanced amount was granted by Rehabilitation Officer, Nagpur vide award dated 22.01.2019. In the circumstances, I do not find any error committed by the learned trial Court.

Accordingly, the writ petition is **rejected**.

JUDGE