

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 3789 OF 2024
IN FAST/9201/2024
WITH
CIVIL APPLICATION NO. 3790 OF 2024
IN FAST/9201/2024

THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION,
OSMANABAD

VERSUS

PANDURANG NIVRUTTI MAGAR AND ANR

...

Advocate for Applicant : Mr. Bhalerao Sudhir Govind

AGP for Respondents/State : Mr. S.N. Kendre

...

AND

905 CIVIL APPLICATION NO. 3791 OF 2024
IN FAST/9198/2024
WITH
CIVIL APPLICATION NO. 3792 OF 2024
IN FAST/9198/2024

THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION,
OSMANABAD

VERSUS

JAYANAND SHANTAPA KALSHETI AND ORS

...

Advocate for Applicant : Mr. Bhalerao Sudhir Govind

AGP for Respondents: Mr. P.D.Patild On Gp

...

AND

906 CIVIL APPLICATION NO. 3811 OF 2024
IN FAST/7987/2024
WITH
CIVIL APPLICATION NO. 3812 OF 2024

IN FAST/7987/2024

THE EXECUTIVE ENGINEER, K.K.D.C.D., UMERGA

VERSUS

PARUTAPPA GURULING HARLAYA AND ORS

XZ

...

Advocate for Applicant : Mr. Bhalerao Sudhir Govind

AGP for Respondents: Ms.A.S. Mantri

...

CORAM : S. G. MEHARE, J.

DATE : 17th APRIL, 2024.

PER COURT :

1. Issue notice to the respondents, returnable on 18.07.2024.

2. The learned AGP waives service of notice for Respondents/State.

3. Learned Counsel for the applicant submits that the interest has been awarded from the date of notification and the enhancement is 10 times more. He further submits that the applicant has a good case on merit, however, the execution has

been filed. The judgment and award is of the year 2015 and the applicant was not diligent in filing appeal within limitation. When the executing Court started the execution, it rushed to the Court and seeking stay.

4. The Decree Holders are running after the Acquiring Body. Hence it would not be appropriate to pass ex-parte order. The applicant is depositing the amount. Instead of depositing the amount here, he may deposit the award money with the executing Court.

(S. G. MEHARE)
JUDGE

mahajansb/