



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

**WRIT PETITION NO. 413 OF 2022**

Executive Engineer, L.P. Yojna, Ganeshpur, Dist. Washim

Vs.

Vikram Tukaram Walke (dead) Thru. LRs and anr.

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

Court's or Judge's Orders.

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Mr. M.A. Kadu, Advocate for petitioner.  
Mr. V.K. Paliwal, Advocate for respondent No.1(b) to 1(f).  
Mr. A.G. Mate, AGP for respondent/State.

**CORAM : N.R. BORKAR, J.**

**DATE : 10.10.2024.**

This petition takes exception to the order dated 15.12.2021 passed by the Executing Court below Exhibit 32 in Special Darkhast No.6/2015.

2. By the order impugned, the learned Executing Court has issued show cause to the petitioner in terms of Order 21 Rule 37 of the C.P.C. in the execution proceedings filed by respondent/s for execution of the award dated 18.05.2010 passed by the reference Court in their favour.

3. The learned counsel for the petitioner submits that respondent/s are not entitled to the amount as sought by them in the execution proceedings. However, no formal objection was filed

before the Executing Court to that effect. In that view of the matter, I am not inclined to entertain the present petition.

4. The writ petition is dismissed. However, it would be open to the petitioner to file formal objection before the Executing Court.

5. The respondent/s are permitted to file an application for withdrawal of the amount deposited by the petitioner before the reference Court. If such application is filed, the reference Court shall pass necessary orders.

(N.R. BORKAR, J.)