



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

WRIT PETITION NO. 4848 OF 2026

Shaikh Raheman Shaikh Amir And Another
VERSUS
The State Of Maharashtra Through Its Secretary And Others

Mr.A.B.Kale, Advocate for petitioners
Mr.R.S.Wani, AGP for respondent nos.1 to 3

**CORAM : SMT.VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**
DATE : MAY 04, 2026

ORDER :-

Learned AGP takes objection that in respect of the judgment and award dated 06.01.2023, passed by learned reference court in L.A.R. No.36 of 2020 and L.A.R. No.4 of 2020, the petitioners have filed the Execution Petition Nos.442 of 2023 and 443 of 2023 and therefore, the Writ Petition is not maintainable.

2. Learned counsel for the petitioners submits that since no steps have been taken by the respondents to deposit the amount the petition has been filed.

3. When the Execution Petition is already pending, there is no question of exercising power under Article 226 of the Constitution of India. In fact, the petitioner ought not to have come before this court



for the relief that has been claimed. We **dispose of** the Writ Petition directing the executing court to take appropriate steps for the execution as early as possible.

[AJIT B. KADETHANKAR, J.] [SMT.VIBHA KANKANWADI, J.]

KBP

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