

A.O. No. 432 of 2019

**Hon'ble Manoj K. Tiwari, J.**

Mr. Hari Mohan Bhatia, Advocate for the appellants.

Mr. Mukesh Kaparuwan, Advocate, holding brief of Mr. Xitij Kaushik, Advocate for respondent no. 1.

Heard learned counsel for the parties.

Learned counsel appearing for the appellants submits that his clients have applied for execution of the award, however, on account of pendency of this Appeal for enhancement, the Executing Court is not proceeding in the Execution Case.

Learned counsel appearing for respondent no. 1 submits that the owner of the vehicle has not challenged the award by the filing any Appeal.

Since no Appeal has been filed by the owner of the vehicle, therefore, the reluctance on the part of the Executing Court to proceed in the matter does not appear to be proper. Therefore, it is provided that the Executing Court shall be free to proceed in the matter.

Urgency Application (I.A. No. 7811 of 2020) stands disposed of.

*Arpan*

**(Manoj K. Tiwari, J.)**

01.09.2020