

Party Name : UNION OF INDIA Vs KSHITISH CH. SAHA & ORS

---

THE HONBLE MR. JUSTICE S.C.DAS

---

Mr. B. Majumder, learned CGC, submits that the original reference under Section 18 of the LA Act was made in the name of Sri Kshitish Chandra Saha, who was the land owner.

During pendency of the reference before LA Judge, Kshitish Chandra Saha died and his legal representatives were substituted. But while passing the judgment and award the names of the legal representatives were not mentioned and the name of Kshitish Chandra Saha was mentioned in the judgment and hence, while preparing the memorandum of appeal the name of Kshitish Chandra Saha was arrayed as the respondent. Learned CGC, Mr. B. Majumder therefore, prays for deleting the name of respondent No.1, Kshitish Chandra Saha and in his place prays for arraying the legal representatives who were already brought on record in case No. Misc. (LA) 11 of 2009.

The appeal has already been admitted.

So, the prayer of the appellant-petitioner is allowed.

The name of Kshitish Chandra Saha, respondent No.1 be deleted and in his place the name of his legal representatives as reflected in the schedule of this petition be added as party.

Notice be issued to them returnable within six weeks.

Steps be taken within three days.

Interlocutory Application accordingly stands disposed of.