

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**CHAMBER SUMMONS NO.579 OF 2016
IN
EXECUTION APPLICATION NO.811 OF 2013
IN
LAND ACQUISITION REFERENCE NO.27 OF 1983
IN
CASE NO.LAQ/SR/425(22)**

Mr.Arun Jagmohan Roongta & Anr.)...Applicants in CHS.

IN THE MATTER BETWEEN :

The Special Land Acquisition Officer (2)Applicants in LAR
V/s.

Purshottam M.Rungta & Ors.Claimants

And

The Union of India through the Defence)....Acquiring Body/
Estates Officer, Colaba, Mumbai)...Respondent

Adv.Sudeshna Guharoy i/by Vidhi Partners for the applicants.

None for respondents.

**CORAM : K.R.SHRIRAM,J
DATE : 20.7.2016**

P.C.:-

1 This chamber summons is for leave to amend the Execution Application in view of the death of claimant no.1 who was the constituted attorney of claimant nos.2 & 3 and death of claimant no.4 and to bring on record his legal heirs.

2 On 15.6.2016 the counsel appearing for the applicants tendered affidavit of service in which it is mentioned that special Land

Acquisition Officer was served on 14.6.2016 and the Union of India through Ministry of Law & Justice was served on 1.4.2016. As nobody appeared for the Union of India, matter was stood over to 13.7.2016. The counsel appearing for the Union of India and also the special land acquisition officer were directed to remain present in court either in person or through an advocate. The counsel for the applicants states that they have served a copy of this order upon the Union of India as well as special land acquisition officer on 4.7.2016. Despite that and despite the direction of the court neither Union of India's counsel is present nor the special land acquisition officer (either in person or through his advocate) is present.

3 Chamber summons therefore, for reasons mentioned in the affidavit in support, is allowed in terms of prayer clause-(a). Amendment to be carried out within two weeks from today.

4 The Notice No.1278 of 2013 be listed for hearing on 3.8.2016. The land acquisition officer (2) shall remain present in court on 3.8.2016. In view of his past conduct, it is made clear that if he does not remain personally present on 3.8.2016 or on subsequent dates, such order to ensure his presence as necessary will be passed.

5 The applicants are at liberty to forward a copy of this order to the office of the Additional Solicitor General of India (Maharashtra) through the secretary law & ministry-Union of India and also to the special land acquisition officer (2) who shall all act on a copy of this order duly authenticated by the Associate of this court.

(K.R.SHRIRAM,J)