

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 15913 OF 2024**

Balkrishna Lalji Mehta
since decd. through LRs & Ors. ... Petitioners
Versus
The Chief Engineer, National Highways
PWD, Kokan Bhawan & Ors. ... Respondents

Mr. Anil Y. Sakhare i/by Mr. Vivek V. Salunke for the Petitioners.
Mr. Rakesh L. Singh i/by M. V. Kini & Co. for Respondent Nos.1
and 2.
Mr. A. I. Patel, Addl. G. P. a/w Mrs. G. R. Raghuwanshi, AGP for
Respondent Nos.3 and 4-State.
Mr. Shailendrekumar Vithal Gund, Executive Engineer of
Respondent No.1, present.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.
DATE : 5th MARCH 2026**

P.C. :

. Mr. Singh, learned counsel appearing for respondent No.1-
National Highways Authority of India, submits that the reply
affidavit could be e-filed only yesterday. It is to be noted that due
to lack of response on behalf of the said respondent, on 12th
February 2026, this Court was constrained to pass an order
directing the Executive Engineer of respondent No.1 to remain
personally present in this Court. It was directed that, in any case,
reply affidavit shall be placed on record before the next date of
listing.

2. The record shows that the reply affidavit was received today
i.e. 5th March 2026 and it was obviously e-filed yesterday after the

Court working hours. Copies of the reply affidavit have not been served on the parties and therefore, it would be necessary that such copies are duly served, so that the stand of respondent No.1 can be taken into consideration by this Court.

3. It is unfortunate that to ensure that respondents, like respondent No.1 herein, place their affidavits on record, this Court is constrained to issue directions for responsible officers of such respondents remaining personally present in Court. It is indeed an unpleasant direction, but we are constrained to pass such direction where the respondents take the orders passed by this Court lightly. The majesty of this Court has to be respected and therefore, such directions are warranted.

4. We have been told that Mr. Gund, Executive Engineer, is present in Court in compliance of the direction issued in the order dated 12th February 2026.

5. The Officer need not remain present on future dates, unless otherwise directed by this Court.

6. The copies of the reply affidavit filed on behalf of respondent No.1 shall be served on the learned counsel for the petitioner as well as the learned AGP, during the course of the day.

7. List the petition for further consideration on 10th March 2026, to be included in the supplementary list.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)