

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

LAND ACQUISITION REFERENCE NO.2 OF 2015

Deputy Collector (Land Acquisition) No.7 Mumbai and
Mumbai Suburban District ...Applicant

And

K. U. Ramchandani & Ors. ...Claimants

And

The Commissioner, MCGM. ...Acquiring Body

WITH

LAND ACQUISITION REFERENCE NO.4 OF 2016

Deputy Collector (Land Acquisition) No.7 Mumbai and
Mumbai Suburban District ...Applicant

And

Babulal M. Shah ...Claimant

And

The Commissioner, MCGM. ...Acquiring Body

Mr. Yazad Udawadia a/w Hitesh Mishra i/by M/s. D. M. Legal Associates for Claimant Nos.3 to 7.

Adv. Uma Palsule Desai, AGP for Respondent (State).

Mr. Deepak Shukla i/by M/s. Vinod Mistry & Co. For Claimant in LAR/4/2016.

Mr. Prakash G. Lad a/w Ms. Pooja Yadav i/by Sunil Sonawane for MCGM-acquiring body.

CORAM : R. I. CHAGLA, J.

DATE : 29TH MARCH 2022

P.C.

1. The Land Acquisition Reference (LAR) No.4 of 2016 is not on board, taken on board.
2. Heard learned counsel for the parties.
3. The learned counsel for the Claimants in Land Acquisition Reference (LAR) No.2 of 2015 has sought extension of time for completion of cross-examination of the Claimants' witness which time had earlier been extended by an order dated 17th February 2022 and which time expires on 30th March 2022.
4. Mr. Lad, learned counsel appearing for MCGM-acquiring body also agrees to the extension of time till June for completion of cross-examination of the Claimants' witness.
5. In view thereof, time is further extended till 30th June 2022 for completion of cross-examination of the claimants' witness.

6. Another joint request is made by the learned counsel for the Claimants in LAR No.2 of 2015 as well as by the learned counsel for the Claimant in LAR No.4 of 2016 for the same Commissioner to record the evidence of the Claimants' witness in both LARs.

7. By a separate order dated 17th February 2022, this Court had extended the time for the Claimant to file Affidavit of evidence and compilation of documents in LAR No.4 of 2016 which was to be filed on or before 10th March 2022. The claimant has accordingly filed the Affidavit of evidence and compilation of documents within the prescribed time. It is stated by the learned counsel for the Claimant in LAR No.4 of 2016 that there is only one witness, namely the Claimant's evidence which is required to be recorded. Accordingly cross-examination shall be recorded by the same Commissioner who has recorded the Claimants' evidence in LAR No.2 of 2015. The Claimant in LAR No.4 of 2016 shall file compilation of the documents relied upon by the Claimant in the Registry within a period of one week from today i.e. on or before 5th April 2022.

8. The learned counsel for the Claimant in LAR No.4 of 2016 shall provide copies of all the documents in the

compilation and the Affidavit of evidence to the Acquiring Body simultaneously with the filing the compilation of the documents in the Registry.

9. The LAR No.4 of 2015 shall be placed on 28th April 2022 alongwith LAR No.2 of 2016 for marking of documents at 2.30 p.m.

[R. I. CHAGLA J.]