

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO. 13 OF 2015

M/S.INPACK TRADERS AND
CONTRACTORS, THROUGH PROPRIETOR
MR.ANTONIO RALINO SEQUEIRA @
RALINO SEQUEIRA.

... Petitioner

Versus

MR. PEDRO SEBASTIAO PEREIRA AND 2
ORS.,

... Respondents

Shri Ryan Da Piedade Menezes, Advocate for the Petitioner.

Coram:- K. L. WADANE, J.

Date:- 17th November, 2015

ORDER :

This revision is directed against the order of the Registrar dated 30/09/2010 by which the appeal of the petitioner was dismissed for default as against the respondents no.1 & 2. For filing the petition there was delay of 4 years and 4 months caused on the grounds mentioned in paras 1 to 3 of the petition.

2. Heard Shri R. Menezes, the learned Counsel appearing for the petitioner, who states that the petitioner has filed an appeal in person and was not represented by the advocate. Subsequently, the notices issued to the respondents no.1 & 2 were served. However, the Registrar of this Court was dissatisfied as there was no proper service on the respondents no.1 & 2. Therefore the matter was kept for taking steps. Subsequently, the matter was dismissed as referred

above. Admittedly, the respondents no.1 & 2 were not served with the notices of the appeal and Shri R. Menezes, the learned Counsel has stated that the order passed by the Registrar came to known only when the paper book was prepared.

3. Hence, for the reasons stated in the petition, the delay caused in filing the revision application is condoned. The order passed by the Registrar dated 30/09/2010 is set aside. The appellant/petitioner is directed to take steps to serve the unserved respondents within a period of three weeks. With the above directions, the petition stands disposed of.

K. L. WADANE, J.

NH