

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 690 OF 2013

IN

STAMP NUMBER (APPLN.) NO. 613 OF 2012

CHAMPAVATI SHYAM NAIK

... Applicant

Versus

SMT. UMABAI B. PARULEKAR (SINCE
DEC.) THROUGH LR'S. AND ANR.,

... Respondents

Ms. Prema Matkar, Advocate for the Applicant.

Coram:- MOHIT S. SHAH, C.J. &
SMT. ANUJA PRABHUDESSAI, J.

Date:- 20th August, 2015

P.C.:

This is an application for condonation of delay in filing Letters Patent Appeal under Stamp No.613/2012. The Letters Patent Appeal is directed against the judgment and decree dated 17/11/2011 of the learned Single Judge of this Court in Second Appeal No.55/2011 under Section 100 of the Code of Civil Procedure, 1908.

2. Since the Letters Patent Appeal against the judgment and decree in Second Appeal is barred under Section 100-A of the Code of Civil Procedure, 1908 with effect from 1/07/2002, this application is misconceived. Accordingly, the Misc. Civil application No.690/2013 is dismissed with an observation that Letters Patent Appeal under Stamp No.613/2012 itself is not maintainable. Registry shall

therefore refuse registration of the Letters Patent Appeal.

SMT. ANUJA PRABHUDESSAI, J.

MOHIT S. SHAH, C.J.

NH