

IN THE HIGH COURT OF BOMBAY AT GOA

SECOND APPEAL NO. 23 OF 2009

SHRI. GENEVIVA ALIAS JOAQUIM DINIZ	... Appellant
Versus	
SMT. OLGA FERNANDES	... Respondent

None for the appellant.

Mr. S. S. Kakodkar, Advocate for the respondent.

Coram:- F. M. REIS, J.

Date:- 13th March, 2015

P.C.

During the course of the hearing of the above appeal, Mr. S. S. Kakodkar, learned counsel appearing for the respondent has brought to my notice that the sole appellant Mr. Geneviva alias Joaquim Diniz has expired on 15.07.2010. As the sole appellant has expired and the legal heirs of the deceased appellant were not brought on record within the time prescribed, the appeal stands abated.

2. Hence, the above appeal stands dismissed as abated. Needless to say that the legal heirs of the deceased appellant if so advised are at liberty to file an appropriate application for bringing them on record along with an application for condonation of delay and setting aside abatement in accordance with law. In case such an application is filed, it shall be examined on its own merits after

hearing the parties in accordance with law. The copy of the death certificate is taken on record and marked 'X' for identification.

F. M. REIS, J.

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