

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 546 OF 2015

IN

STAMP NUMBER MAIN NO. 2574 OF 2015

MRS. SHIRLEY ANNIE MARIE BOTELHO. ... Applicant
Versus
MR. NORTON D'SOUZA AND ANR., ... Respondents

Ms. V. Shetye, Advocate for the Applicant.
Shri Sequeira Jude Torex, Advocate for Respondent No.1.
Shri J.J. Mulgaonkar, Advocate for Respondent No.2.

Coram:- C. V. BHADANG, J.

Date:- 30th September, 2015

P.C.:

Heard the learned Counsel for the applicant and the contesting respondent no.1.

2. There is a delay of 305 days in filing the revision application which seeks to challenge an order dated 8/10/2014 (below Exhibit 12) by which the application filed by the petitioner/original defendant no.2 under Order VII Rule 11(a) of the Civil Procedure Code has been rejected.

3. The learned Counsel for the contesting respondent no.1/original plaintiff opposes the application.

4. On hearing the learned Counsel for the parties, it appears that another defendant being defendant no.1 had also filed a similar application which was rejected by a separate order of the even date. Civil Revision Application No.25/2015 challenging the said order is pending admission. Having regard to the circumstances and looking to the reasons mentioned in the application, the civil application is allowed. The delay in filing the Civil Revision Application is hereby condoned. Let the Civil Revision Application be registered.

C. V. BHADANG, J.

NH