

IN THE HIGH COURT OF BOMBAY AT GOA
MISC.CIVIL APPLICATION NO. 908 OF 2015
AND
STAMP NUMBER MAIN NO.3392 OF 2015
in
STAMP NUMBER MAIN NO.3222/2014

The Deputy Collector and Land Acquisition Officer and Anr.	...	Applicants
Versus		
Milagres Da Costa and Anr.	...	Respondents

Ms. Priyanka Kamat, Additional Government Advocate for the applicants.

Coram :- C. V. BHADANG, J.

Date :- 18th December, 2015

P.C.

Heard Ms. Kamat, the learned Additional Government Advocate for the applicants.

2. The registration of First Appeal/ Stamp Number Main No.3222/2014, filed by the applicants was refused, mainly on account of non-payment of deficit court fee. Stamp Number Main No.3392/2015 is filed for restoration of the same, on the ground that the applicants would pay/deposit the court fees within a period of one week. There is a delay of 66 days in filing the application, of which condonation is sought in M.C.A.No.908/2015.

3. On hearing the learned Additional Government Advocate for the applicants, it appears that as the registration of the First Appeal was refused for want of compliance with certain office objections, it would not be necessary to issue notice to the respondents.

4. The statement made by the learned Additional Government Advocate on behalf of the applicants is accepted. M.C.A. No.908/2015 and Stamp Number Main No.3392/2015 are allowed. The delay in filing the application for restoration is hereby condoned. The impugned order dated 07/08/2015 is hereby set aside. First Appeal / Stamp Number Main No.3222/2014 is restored to file, subject to the condition that the deficit court fee shall be paid and all other office objections, if any, shall be removed, within a period of one week from today.

C. V. BHADANG, J.

SMA