

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 498 OF 2015

IN

STAMP NUMBER MAIN NO. 1598 OF 2015

M/S COLONIA SANTA MARIA HOTELS
PVT. LTD., THROUGH ITS MANAGER MR.
SANJAY KALANGUTKAR.

... Applicant

Versus

MR. INACIO C. FERNANDES AND ANR.,

... Respondents

Adv. A. Lobo for the Applicant

Adv. Ashwin D. Bhobe for Respondent no. 1.

Coram:- C. V. BHADANG, J.

Date:- 14th March, 2016

P.C.:

This is an application for condonation of delay of 11 days in filing a civil revision application challenging the order dated 16/12/2014. By the impugned order, the application filed by the applicant herein under Order 8 Rule 6C of C.P.C. for exclusion of counter claim has been dismissed.

2. In this case, the respondent no.1/defendant no.1 had alone filed the counter claim. Thus admittedly, the respondent no.2/defendant no.2 had not filed any counter claim. As such, service of notice to respondent no.2 is dispensed with at this stage.

3. Heard the learned counsel for the applicant and respondent no.1.

For the reasons stated in the application and considering the quantum, the application is allowed. Delay in filing the civil revision application is hereby condoned.

4. Let the civil revision application be registered.

C. V. BHADANG, J.

ap/-