

**IN THE HIGH COURT OF BOMBAY AT GOA**

MISC.CIVIL APPLICATION NO. 569 OF 2015

IN

WRIT PETITION NO. 519 OF 2015

SHRI. SUDHIR P. DESAI AND ANR.,

... Applicants

Versus

SMT. MAGDALENA MONTEIRO ALIAS  
MAGDALENA MONTES AND 4 ORS.,

... Respondents

WITH

.  
. MISC. CIVIL APPLICATION NO. 570/2015.

SHRI. SUDHIR P. DESAI AND ANR., ...Applicants.  
V/S

SMT. MAGDALENA MONTEIRO ALIAS  
MAGDALENA MONTES AND 4 ORS. ...Respondents.

Shri S. P. Munj, Advocate for the applicants.

Shri R. D'sa, Advocate for the respondent nos.1 (a & c).

Coram:- F. M. REIS, J.

Date:- 18th November, 2016

P.C.

This is an application to bring legal representatives of the deceased respondent no.1 on record. The original petitioners have also filed an application for condonation of delay. As the proceedings are a Writ Petition, the question of seeking any condonation in such petition to bring the legal representatives on record or to set aside the abatement would not arise. If the right to sue survives the legal representatives of the deceased parties can be substituted in accordance with law.

2. In such circumstances, both the applications are allowed by permitting the petitioners to substitute the legal representatives for the deceased respondent no.1 as mentioned at para 3 of the application. Amendment to be carried out within one week. Both the applications stand disposed off accordingly.

F. M. REIS, J.

vn