

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 611 OF 2015

IN

WRIT PETITION NO. 561 OF 2006

STATE OF GOA, THROUGH THE CHIEF
ENGINEER AND ANR.,

... Applicants

Versus

MR. T. D. ABDUL RAHIMAN
REPRESENTED BY HIS ATTORNEY MR. C.
M. A. KADAR.

... Respondent

Shri D. Shirodkar, Addl. Govt. Advocate for the applicants.
Shri S. D. Padiyar, Advocate for the respondent.
Manish Damodar Salkar,

Coram:- F. M. REIS, J.

Date:- 28th November, 2016

P.C.

This is an application for restoration of the Writ Petition dismissed for default. Though records reveal that opportunities were given for appearance of the petitioners, nevertheless it is contended in the application that on account of the sickness of the concerned Advocate, none appeared on behalf of the applicants/petitioners.

2. Considering that the matter was fixed on many occasion for the appearance of the petitioners, who failed to remain present, though there is an objection raised by the respondent to the above application, considering that the dispute is for recovery of money which would affect the public exchequer, I find that in peculiar facts and circumstances of the case, the order dated 14.8.2015 deserves to

be recalled and the Writ Petition No.561 of 2006 be placed in the file subject to the applicants depositing costs of Rs.5000/- in favour of Goa State Legal Services Authority within three weeks.

4. Application stands disposed off.

F. M. REIS, J.

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