

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO. 36 OF 2016

M/S. SELLWELL FOODS AND BEVERAGES
PVT. LTD., REP. BY ITS AUT. SIG.
SHRI. GAJANAN POROB.,

... Petitioner

Versus

MAHABALESHWAR AGENCIES, REP. BY
ITS PARTNERS.,

... Respondent

Mr. C. A. Coutinho, Advocate for the petitioner.

Coram:- C. V. BHADANG, J.

Date:- 16th September, 2016

P.C.

Heard.

2. The order challenged here is dated 17/04/2015 passed by the learned Deputy Registrar of this Court, by which the registration of the Second Appeal has been refused.

3. It is submitted that the Second Appeal was listed before the learned Deputy Registrar on 17/04/2015, on which day, Advocate Redkar, appearing for the petitioner, was on leave. The learned Deputy Registrar had passed a conditional order on 17/04/2015 and on account of non-compliance with the same, the registration of the Second Appeal stood refused. The learned Counsel for the petitioner submits that out of inadvertence of the Counsel, this was not noticed

and when enquiry was made as to why the Second Appeal is not being listed, then it was learnt that the registration of Second Appeal already stands refused.

4. Having perused the Revision memo and having heard the learned Counsel for the petitioner, the delay in filing Civil Revision Application is hereby condoned. The Civil Revision Application is allowed, subject to deposit of costs of Rs.5,000/- with the Goa State Legal Services Authority, Panaji, within a period of one week from today. On deposit of the costs, the impugned order shall stand set aside. The petitioner shall remove all the office objections within a period of one week, whereupon the office shall proceed to register the Second Appeal.

C. V. BHADANG, J.

SMA