

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 752 OF 2016

IN

STAMP NUMBER MAIN NO. 861 OF 2016

SMT. JULIET ALVES E SUBRAMANIAM., ... Applicant
Versus
MR. ALEX FRANCIS WOLFANGO ALVES ... Respondents
AND ANR.,

Mr. P. A. Kholkar, Advocate for the Applicant.
Mr. Kaif Noorani, Advocate for the Respondents.

Coram:- F. M. REIS, J.

Date:- 6th October, 2016

P.C.

Heard Mr. Kholkar, learned Counsel appearing for the Applicant
and Mr. Noorani, learned Counsel appearing for the Respondents.

2. The above application seeks for condonation of delay in filing the Second Appeal after withdrawing the Writ Petition filed by the Appellant challenging the impugned Order passed by the Appellate Court on 24.02.2015. The Second Appeal was filed on 02.03.2016. The learned Counsel appearing for the Respondents opposes the above application.

3. In the peculiar facts and circumstances of the case, as the Applicants have resorted to a wrong remedy in challenging the Order

passed by the Lower Appellate Court on legal advise and as the averments made in the application stand uncontroverted, the delay stands condoned.

4. Application stands disposed of accordingly.

F. M. REIS, J.

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