

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 783 OF 2016

IN

MISC.CIVIL APPLICATION NO. 717 OF 2014

THE CHIEF SECRETARY AND 3 ORS.,

... Applicants

Versus

SHRI. DAMODAR PUNDALIK SINAI
MOPKAR AND ANR.,

... Respondents

Ms. P. Sawant, Additional Government Advocate, for the
Applicants.

Coram:- F. M. REIS, J.

Date:- 28th February, 2017

P.C.

This is an application to recall the order dated 05.08.2015 whereby the appeal was directed to be dismissed in case of failure to pay the process fee within time.

2. It is pointed out by Ms. P. Sawant, the learned Additional Government Advocate appearing for the Applicants, that on account of miscommunication between the Government Advocates, the process fee remained to be paid though the amounts to serve the legal heirs were duly paid. It is further pointed out that this aspect was not brought to the notice of this Court whilst passing the said order. The application is supported by an affidavit. In the interest of justice and subject to

objections, if any, of the Respondents the order dated 05.08.2015 stands recalled. The first appeal is placed on board. The applicants to pay the process fee within one week from today as last opportunity.

3. The application stands disposed of accordingly.

F. M. REIS, J.

msr