

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 344 OF 2016

IN

STAMP NUMBER MAIN NO. 627 OF 2016

GOVERNMENT OF GOA THROUGH ITS
CHIEF SECRETARY AND ANR.,

... Applicants

Versus

SHRI BENEDITO D'SOUZA (DECEASED)
THROUGH HIS LRS.,

... Respondent

Mr. Amir Jamadar, Addl. Government Advocate for the
Applicants.

Mr. K. Padgaonkar, Advocate for the Respondents.

Coram:- F. M. REIS, J.

Date:- 13th January, 2017

P.C.

Heard Mr. Jamadar, learned Addl. Government Advocate
appearing for the Applicants and Mr. Padgaonkar, learned
Counsel appearing for the Respondents.

2. This is an application for condonation of delay of 49 days in
filing a First Appeal.

3. It is the contention of the Applicants that such delay was on
account of administrative reasons. The Respondents have
opposed such condonation of delay contending that the delay has
not been satisfactorily explained. But, however, the averments in

the application are supported by an affidavit. The Respondents have not controverted the averments by filing any affidavit.

4. Considering that a justice oriented approach has to be taken whilst deciding an application for condonation of delay and taking note of the fact that the delay was on account of the movement of files which has not been seriously disputed by the Respondents, I find that the delay needs to be condoned.

5. Application stands disposed of accordingly.

F. M. REIS, J.

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