

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 341 OF 2017

IN

STAMP NUMBER MAIN NO. 1071 OF 2017

MR. ANDRE ANTONIO ROSARIO DA COSTA
AND ANR.,

... Applicants

Versus

MRS. ANGELA PATRICIA DA COSTA AND
2 ORS.,

... Respondents

Mr. M. B. D'Costa, Senior Advocate with Karishma Custa
Betquecar, Advocate for the applicants.
Ms. S. Naik, Advocate holding for Mr.J. J. Mulgaonkar,
Advocate for the respondent nos.1 to 3.

Coram:- PRITHVIRAJ K. CHAVAN, J.

Date:- 28th June, 2017

P.C.

Heard Mr. M. B. D'Costa, learned Senior Counsel for the applicants and Ms. S. Naik, learned Counsel for the respondent nos.1 to 3.

2. By this application, the applicants seek condonation of delay of 8 days which has occurred due to preferring an appeal before the District Court Margao by oversight even though valuation of the proceeding is to the tune of 20,00,001/-.

3. Mr. D'Costa, learned Senior Counsel submits that it was a bonafide mistake of the applicants who were prosecuting their remedy with due diligence before the District Court and therefore, the period of limitation needs to be excluded in view

of Section 14 of the Limitation Act, 1963.

4. For the reasons stated in the application, I am convinced that the delay of 8 days needs to be condoned in view of Section 14 of the Limitation Act. As such, delay stands condoned with no order as to costs. Registry is directed to register the Appeal after removing office objections, if any.

5. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

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