

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 627 OF 2017

IN

STAMP NUMBER MAIN NO. 1991 OF 2017

BAJAJ ALLAINZ GENERAL INSURANCE
CO. LTD. THR. ITS. AUT. SIGN.

MR.NILESH SUBASHCHANDRA GANDHI., ... Applicant

Versus

MRS. FRANSQUINHA FERNANDES AND 6
ORS.,

... Respondents

Ms Bhomkar, Advocate for the Applicant.

Mr. E. Afonso, Advocate for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 9th November 2017

P.C.

Shri E. Afonso, learned Advocate undertakes to file Wakalatnama during the course of the day. He submits that Respondent no.4 has expired and Respondent no.2 is on record as the sole legal heir. Learned Counsel placed on record a copy of the Order dated 23.07.2010 passed by the learned Single Judge of this Court holding that the party who had not contested the proceedings before the Tribunal need not be served in the Appeal proceedings and in view of the Judgment in Bismilla Abdulla Ansari & anr. vs Shri Kishorkumar N. Shah ([2008]5 Bom.C.R., 252)]. Shri Afonso has placed the Order and

Judgment on record.

2. In view thereof, service on the Respondent nos.5, 6 and 7 is dispensed with.

3. Shri E. Afonso submits that he has no objection to the condonation of delay. Even otherwise on considering the grounds in the application, i am inclined to allow the condonation of delay. Hence, the delay is condoned.

4. Application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

arp/*