

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 859 OF 2016

IN

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THE NEW INDIA ASSURANCE CO. LTD.,
THR. ITS DIVISIONAL MANAGER,
RISHIKA OJHA.,

... Applicant

Versus

SMT. ANTONETA MILAGROSA AGUST
PEREIRA ALIAS MILAGROSA GRACIES
AND 2 ORS.,

... Respondents

Shri E. Afonso, Advocate for the applicants.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 1st September 2017

P.C.:

None present for the respondents despite due opportunity nor any reply filed on their behalf.

2. It is the case on behalf of the applicants that the appeal came to be dismissed on 22/07/2016 for the default in appearance of their Advocate and which fact came to the notice of the Advocate on 22/09/2016. There was a delay of 38 days in filing an application for setting aside the order dated 22/07/2016 and restoration of the appeal. This fact was affirmed by the Officer of the applicants and the same was not controverted by the other

side.

3. In view thereof, the application for the condonation of delay in filing the application for setting aside the order dated 22/07/2016 is allowed.

4. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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