

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 619 OF 2016

IN

STAMP NUMBER MAIN NO. 3670 OF 2015

SHRI. GANESH M. GAWADE (SINCE
DECEASED) THROUGH HIS LEGAL HEIRS. ... Applicant

Versus

STATE OF GOA THROUGH ITS CHIEF
SECRETARY AND 4 ORS. ... Respondent

Shri Anthony Joe D'silva, Advocate for the applicant.
Shri R. Shivolkar, AGA for the respondents no1. and 2.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 21st April, 2017

P.C.

This is an application for the condonation of delay of 1061 days for filing an appeal on the premise that they were not aware of the outcome of the case and had followed the case with their counsel who appeared for them in the District Court and particularly as the husband of the applicant no.1 had expired on 8.3.2012. Be that as it may, the grounds urged in the application have not been seriously controverted on behalf of the respondents. Moreover, Shri D'Silva, learned Advocate for the applicant has invited attention of this Court to an order in MCA No.210.2016 wherein this Court had considered similar application for condonation of delay in filing First Appeal arising from the same judgment.

2. Considering the facts and circumstances of the case, i find

a fit case to condone the delay subject however to the payment of costs of Rupees five thousand only. Hence, in the interest of justice, the delay in filing appeal is condoned. Registry to register the appeal.

3. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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