

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO.918 OF 2016

IN

SECOND APPEAL NO.2 OF 2017

Luciano Rodrigues & Ors

... Applicants

Versus

Joanna Rodrigues & Ors

... Respondents

Mr J Godinho, *Advocate for the Applicants.*

Mr PA Kholkar, *Advocate for Respondent No 1.*

CORAM: G.S. PATEL,J

DATED: 14th September 2017

PC:-

1. The Misc. Civil Application is for condonation of delay of 711 days in filing the Second Appeal. In respect of Respondent Nos 6 and 7, the service report is awaited. The other Respondent Nos 1 to 5 have been served.

2. The delay is explained by saying it was because the Appellants filed a Writ Petition No 84 of 2016 in this Court on 23rd December 2015 and which was ultimately withdrawn on 3rd March 2016. The present Second Appeal was filed thereafter on 5th May 2016.

3. I will accept this explanation and condone the delay. However, it is clarified that the Appellant must effect service of the Second Appeal.

4. Mr PA Kholkar appears and accepts service on behalf of Respondent No 1. Respondent Nos 6 & 7 are yet to be served in the Second Appeal.

5. The Misc. Civil Application is disposed of.

6. The Second Appeal will be listed for admission on 21st September 2017.

G. S. PATEL, J