

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 985 OF 2016

IN

STAMP NUMBER (APPLN.) NO. 3984 OF 2016

MR. RAUL AIRES FERNANDES AND ANR., ... Applicants
Versus
STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 5 ORS., ... Respondents

Mr. Rohit Bras De Sa, Advocate for the Applicant.
Mr. P. Dangui, Advocate for Respondents no. 1 and 2.
Ms. Rajas Kantak, Advocate for the Respondent no. 5.

Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.

Date:- 17th April, 2017

P.C.

Heard.

2. This is an application for condonation of delay in filing Review Petition.

3. We had made it clear that we would also examine the merits of the Review Petition on the last date of hearing. The application for condonation of delay is vehemently opposed by the Respondent no. 5. Mr. Rohit Bras De Sa, learned Counsel appearing for the Petitioner states that only observation that the Petition presses is that in case any Civil Suit is filed, the findings in the Judgment passed by this Court should not come in the way

of the Petition in such Suit.

4. Having heard the learned Counsel appearing for the Respondent no. 5, we are not inclined to grant any condonation in the above Petition. Needless to say, whilst disposing the above Petition we have observed that there were disputed questions of facts which cannot be examined under Article 226 of Constitution of India. In such circumstances, the finding of facts in the said Judgment, if any, are left open.

5. Application stands disposed of, accordingly.

NUTAN D. SARDESSAI, J.

F. M. REIS, J.

msr