

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 474 OF 2018

IN

STAMP NUMBER MAIN NO. 1873 OF 2018

APOLONARIO GOMES AND 10 ORS.,

... Applicants

Versus

STATE OF GOA, THR. ITS CHIEF
SECRETARY AND 18 ORS.,

... Respondents

Shri Shashikant Narayan Joshi with Ms. Aditi Kamat, Advocates
for the Applicants.

Shri Amir Jamadar, Additional Government Advocate for the
Respondent Nos. 1, 2 and 3.

Shri Mandar D. Naik, Advocate for the Respondent Nos. 14 to
17.

Coram:- C. V. BHADANG, J.

Date:- 24th August 2018

P.C.

Although this application is filed for condonation of delay of 20 days in filing an appeal against the order dated 14.02.2018, passed by the learned District Judge, a perusal of the record shows that in fact, there is no delay. This is for the reason that the impugned order was passed on 14.02.2018 and the 90 days' period of limitation for filing an appeal, expired somewhere on 14.05.2018, when this Court was in vacation. The appeal is filed on the opening day i.e. 04.06.2018.

2. In the present case, all the respondents, except respondent no. 9, are shown to be served. However, looking to the fact that there is no delay in filing the appeal and the learned Counsel for the applicant has filed the application out of abundant caution, the service of notice on the unserved respondent no. 9 is dispensed with. It is held that the appeal is filed within limitation. Office to register the appeal against the order.

3. The civil application is disposed of.

C. V. BHADANG, J.

EV