

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 582 OF 2017

IN

FIRST APPEAL NO. 57 OF 2017

FRANCISCO SIMPLICIO D'SOUZA, REP.
BY POA, BASILIO SANTANA CASTELINO
@ B.S. CASTELINO.,

... Applicant

Versus

STATE OF GOA, THR. THE CHIEF
SECRETARY, GOVT. OF GOA AND 14
ORS.,

... Respondents

Applicant in Person.
Ms. S. Linhares, Addl. Government Advocate for the
Respondents.

Coram:- C. V. BHADANG, J.

Date:- 5th February 2018

P.C.:

This is an application for bringing the legal representatives of the deceased respondent no.7 on record. It appears that the respondent no.7 was arrayed as defendant no.7 before the trial court. He died on 3/12/2014 i.e. during the pendency of the suit before the trial court. The record further discloses that no steps were taken for bringing the legal representatives of the respondent no.7 on record before the trial court and, as such, the cause title of the impugned judgment shows that the suit was treated as abated against the respondent no.7 as per order dated

9/9/2016 which was not challenged. In such circumstances, the applicant cannot be allowed to bring the legal representatives of respondent no.7 for the first time before this Court. Consequently, the application is hereby dismissed.

C. V. BHADANG, J.

ap/-