

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 162 OF 2018

IN

STAMP NUMBER MAIN NO. 2419 OF 2017

THE PROJECT DIRECTOR AND
EX-OFFICIO JT. SECRETARY (RD) AND
ANR.,

... Applicants

Versus

JOAO DE ARAUJO AND 2 ORS.,

... Respondents

Shri Deep D. Shirodkar, Additional Government Advocate for
the applicants.

Ms. A. Araujo h/f. Shri Prasheen Lotlikar, Advocate for the
respondent No.1.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 15th June 2018

P.C.:

Heard Shri Deep D. Shirodkar, learned Additional
Government Advocate for the applicants and Ms. A. Araujo,
learned Advocate for the respondent No.1.

2. The learned Additional Government Advocate for the
applicants seeks for the condonation of delay of 252 days on the
grounds that time was spent in obtaining legal opinion and in
view of the other similar matters arising out of the said
acquisition. Besides, there were other procedural hurdles on
account of which the file could not be processed resulting in the

delay of 252 days in filing the appeal which may be condoned. The applicants have a good case to succeed on merits and therefore application be allowed.

3. Ms. Araujo, learned Advocate for the respondent No.1 opposed the application on the premise that the grounds urged are not sufficient and therefore ought to be dismissed.

4. The State which is otherwise the exchequer has to pay the amount due under the award and has to be given adequate opportunity to represent its case on merits. Having heard the learned Additional Government Advocate for the applicants and considering the administrative and official hassles incurred in the process of filing, i deem it appropriate to condone the delay.

5. In view thereof, the delay is condoned. The Registry to register the appeal.

6. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.