

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 773 OF 2016

IN

FIRST APPEAL NO. 295 OF 2003

LAXMAN G. DESSAI (DEC) THROUGH
LRS., REP. BY POA DILIP DESSAI AND
2 ORS.,

... Applicants

Versus

UTTAM V. NAIK DESSAI (DEC) THROUGH
LRS. AND 3 ORS.,

... Respondents

Mr. Virendra Parsekar, Advocate for the Applicants.

Mr. Devidas J. Pangam, Advocate for the Respondent Nos. 1(c)
and 1(f).

Coram:- C. V. BHADANG, J.

Date:- 15th March 2018

P.C.

This is an application for condonation of delay and for setting aside abatement for bringing the legal representatives of deceased respondent no. 1(e) on record.

2. The respondent no. 1(e) expired on 11.07.2011. According to the applicants, there was no notice about the death of respondent no. 1(e) and the applicants were not aware of his death. It is therefore submitted that the delay in bringing the legal representatives of deceased respondent no. 1(e) be condoned and the abatement, if any, be set aside.

3. The legal representatives of the respondent no. 1(e) were put on notice, however, none appears.

4. In such circumstances and for the reasons stated in the application, the application is allowed in terms of prayer clauses (a) and (b).

C. V. BHADANG, J.

EV