

**IN THE HIGH COURT OF BOMBAY AT GOA**

MISC.CIVIL APPLICATION NO. 582 OF 2018

IN

STAMP NUMBER MAIN NO. 719 OF 2016

RAMA CHANDRU RAUT AND 5 ORS., ... Applicants

Versus

GOPAL VAMAN RAUT AND 12 ORS., ... Respondents

Shri Ryan Da Piedade Menezes, Advocate for the Applicants.

Coram:- C. V. BHADANG, J.

Date:- 26th July 2018

P.C.

The endorsement of the office dated 01.12.2016 shows that all the office objections, as raised, were cleared. Subsequently, on 02.12.2016, the office again raised an objection that the certified copy of the appeal memo and the judgment and decree of the Trial Court was not filed.

2. It appears that under the order of the Registrar, passed on 02.12.2016, the registration of the Second Appeal was refused, for non-removal of the office objections. The applicants challenged the same in revision application along with a prayer for condonation of delay in Miscellaneous Civil Application No. 137/2017, which was allowed on 17.03.2017, permitting the applicants to produce a self certified copy of the appeal memo.

3. This Court noted that there is another Second Appeal filed by some other respondents, in which, record and proceedings of the Trial Court is called for. Indisputably, the self certified copy of the appeal memo has been produced. Now, it is submitted by the learned Counsel for the applicants that the certified copy of the judgment and decree of the Trial Court remained to be mentioned in the order dated 17.03.2017. In order to put at rest the issue of compliance with the office objection, the learned Counsel for the applicants seeks permission to produce the self certified copy of the judgment and decree of the Trial Court.

4. For the similar reason, as mentioned in the order dated 17.03.2017 and in view of the connected appeal (being Second Appeal No. 83/2016), which is said to be already admitted, the filing of the certified copy of the judgment and decree of the Trial Court is hereby dispensed with, subject to, production of self certified copy of the judgment and decree of the Trial Court, by the applicants, during the course of the day. In the event, the self certified copy is produced, the office shall register the appeal. The Civil Application is disposed of.

C. V. BHADANG, J.