

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 1036 OF 2012

IN

FIRST APPEAL NO. 242 OF 2007

FELICIANA D\CUNHA REPRESENTED BY
ATTORNEY MANUEL XAVIER D\CUNHA
AND 11 ORS.,

... Applicants

Versus

THE CHIEF SECRETARY AND 8 ORS.,

... Respondents

Shri V. Sawant, Advocate holding for Shri Nigel Da Costa Frias,
Advocate for the Applicants.
Ms. T. Kamat Ghanekar, Advocate for the Respondent Nos.5 and
6.

Coram:- C. V. BHADANG, J.

Date:- 7th August 2018

P.C.

This application was initially filed for bringing the legal representatives of the appellant no.12 on record as respondent nos.10 and 10(a). It appears that the prayer clause was amended on 14.02.2013 and the applicants sought to bring the legal representatives of the deceased appellant no.12 as appellant no.12(a) and 12(b). It is also submitted by the learned Counsel appearing for the applicants that the applicants are unable to procure the Wakalatnama of the proposed legal representatives. It is evident that any person can be brought on record as an appellant only with his consent.

2. In such circumstances, the learned Counsel for the applicants seeks leave to withdraw the application with liberty to file a fresh application to bring the legal representatives of the appellant no.12 as respondents.

3. In such circumstances, the Misc. Civil Application is disposed off as withdrawn. Keeping the issue of delay open, liberty is granted to the applicant to file a fresh application as may be advised.

C. V. BHADANG, J.

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