

IN THE HIGH COURT OF BOMBAY AT GOA.

MISCELLANEOUS CIVIL APPLICATION NO.440 OF 2019
IN
MISCELLANEOUS CIVIL APPLICATION NO.900 OF 2018

SAVUI CKIVUS DA COSTA AND ANR. ... APPLICANTS.
VS
JOSE XAVIER MARTINS AND ANR. ... RESPONDENTS.

Ms. T. Kamat Ghanekar, Advocate for the applicant.

Coram:- PRITHVIRAJ K. CHAVAN, J.
Date:- 27th June 2019.

P.C.

This is an application for bringing legal representatives of deceased respondent no.1 on record who is said to have died on 20.1.2018. It is submitted that applicants came to know about the death of respondent no.1 only when notice issued to him returned unserved with an endorsement about the death of respondent no.1.

2. According to the learned Counsel for the applicants, delay of 264 days in bringing legal representatives has therefore occasioned. It is also stated that wife of deceased respondent no.1 is already on record as respondent no.2.

3. The delay has been duly explained, and therefore, it needs to be condoned.

4. Applicants shall amend the cause title of the memo of

appeal accordingly within a period of one week from today by incorporating the names of legal heirs of deceased respondent no.1 on record.

5. Respondent no.1(b) is present in the court who states that his mother respondent no.2 has already given him power of attorney to represent respondent nos.1(a)(c)(d), (e) and (f). However, issue fresh notice to the proposed respondents no.1(a), (c) to 1(f) returnable on 18.7.2019.

6. Application stands disposed of.

PRITHVIRAJ K. CHAVAN, J.

vn*