

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 123 OF 2019
IN
STAMP NUMBER MAIN NO. 1611 OF 2019

RAMANNA PAVDAPPA BARKAR, PRESENTLY
LODGED IN COLVALE JAIL, THR.
RAJESHREE NAIK., ... Applicant

Versus

VPK URBAN CO-OPERATIVE CREDIT
SOCIETY LTD., REP. BY RATNA S.
AMONKAR AND ANR., ... Respondents

Shri Sagar Dhargalkar, Advocate for the Applicant.
Shri Jatin Ramaiya, Advocate for the Respondent No.1.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 25th April 2019

P.C.:

Shri Jatin Ramaiya, learned Advocate submits that he has instructions to appear on behalf of the respondent no.1 and would file his Wakalatnama in the Registry during the course of the week.

2. i have heard Shri Sagar Dhargalkar, learned Advocate for the applicant who submitted that the applicant had met with an accident and was hospitalized for a considerable length of time. It was his contention further that he also had to undergo plastic surgery to deal with the injury suffered in the course of the

accident to his right leg and for which he was completely bedridden and unable to walk. In the circumstances therefore, he was unable to pursue the legal remedy available to him and therefore the delay had occasioned of 245 days in filing the Revision Application. This fact has been affirmed on oath and it is otherwise substantiated by the medical record which clearly indicates that he had suffered fracture injuries in the course of the vehicular accident on 14/06/2008 and was admitted in the hospital. Besides, it is borne out from the hospital records that he had undergone operation for the same and thereafter also he was admitted in the hospital for undergoing plastic surgery. The delay in filing the revision has been sufficiently accounted which fact has not been controverted on oath by the respondent.

3. In view thereof, the delay is condoned. The Registry to register the revision application and also the application for stay. The application stands disposed off.

NUTAN D. SARDESSAI, J.

NH