

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 14 OF 2019

IN

STAMP NUMBER MAIN NO. 2231 OF 2016

ELVIRA LAURA DO REGO @ ELVIRA
GONSALVES @ ELVIRA R. GONSALVES
AND 16 ORS.,

... Applicants

Versus

NONO KUNKOLKAR @ NUNO KUNKOLIENKAR
@ NUNO ROSARIO AND ANR.,

... Respondents

Shri V. Parsekaer, Advocate for the Applicants.
Ms. G. Salgaonkar, Advocate for the Respondents.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 15th March 2019

P.C.:

Affidavit in reply filed.

2. Heard Shri V. Parsekar, learned Advocate for the applicants and Ms. G. Salgaonkar, learned Advocate for the respondents. i have considered their submissions and the grounds urged in the application in which it is averred that there was an inadvertent error in counting the days available for filing the appeal and due to which there was a bonafide delay of 6 days in filing the appeal. This application is duly supported by an affidavit of the party affirming the said statement on oath.

3. Ms. G. Salgaonkar, learned Advocate for the respondents submits that no sufficient cause has been set out for the condonation of delay and besides the applicants have not been diligent in pursuing the proceedings before this Court for which the application came to be registered only in 2019.

4. However, these aspects are not germane for deciding the application for condonation of delay. In the circumstances therefore there is no reason not to condone the delay which has been sufficiently accounted for by the applicants. The application is accordingly allowed. The Registry to register the appeal. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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