

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 672 OF 2019

IN

MISC.CIVIL APPLICATION NO. 182 OF 2019

SHANTI GULAB HEGDE, REP. BY HER
ATTORNEY, SUNIL GURUDAS BHATIKAR., ... Applicant

Versus

RATNABAI HEGDE AND 6 ORS., ... Respondents

Mr. S.D. Lotlikar, Senior Advocate with Mr. J. Karn, Advocate
for the Applicant.

Mr. Rohit Bras De Sa, Advocate for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 17th July 2019

P.C.

This is an application for bringing on record the legal representatives of the deceased sole appellant, who expired on 14.06.2019.

2. The learned Counsel for the respondents has raised an objection based on Section 395 of the Goa Succession Special Notaries and Inventory Proceeding Act, 2012. It is submitted that a party claiming to be a legal representative on the basis of a Will, has to file an application accompanied by documents and a list of witnesses relied upon before the Inventory Court, which can then decide the issue on inquiry.

3. In this case, the main application is filed for condonation of delay in filing First Appeal against an order dated 12.03.2018, passed by the Inventory Court, by which, the Inventory Court has upheld the objection of the interested parties and the proceedings are dropped. Thus, as of now, there is no inquiry as such pending before the Inventory Court. However, keeping the said issue open and for the reasons mentioned in the application, the same is allowed. Necessary amendment to the cause title of the application and in the First Appeal to be carried out within one week.

C. V. BHADANG, J.

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