

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 54 OF 2018

IN

STAMP NUMBER MAIN NO. 2329 OF 2017

JOSE BAPTISTA D'MELLO (DEC) THR.
HIS LRS.,

... Applicant

Versus

CAJETAN IGNATIUS FERNANDES (DEC)
THR. HIS LRS. AND 2 ORS.,

... Respondents

Shri Vinoj K. Daniel, Advocate for the applicant.
Ms. A. Fernandes h/f. Shri A.D. Bhobe, Advocate for the
respondents No.1a, 1b, 1c

Coram:- NUTAN D. SARDESSAI, J.

Date:- 10th January 2019

P.C.:

i have considered the grounds urged in the application which have been duly affirmed on oath accounting for the delay of 61 days in filing the proposed appeal.

2. The objection raised on behalf of the respondents is that the delay has not been sufficiently accounted. Nonetheless, considering that the delay has been duly accounted though due to the lapse on the part of the Advocate conducting the matter, the parties should not suffer the consequences of such negligent acts of the Advocate.

3. In the circumstances therefore the delay is condoned.

4. The application is allowed. Registry to register the appeal.

5. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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