

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.720 OF 2019
IN
FIRST APPEAL NO. 134 OF 2018

Karan K. Applicant.

Versus

Antonio de Matos Sequeira. Respondent.

Mr. Vibhav Amonkar, Advocate for the Applicant.

Mr. Ryan da Piedade Menezes, Advocate for the Respondent.

Coram : M.S. Sonak &
Nutan D. Sardesai, JJ.

Date : 29th July, 2019.

P.C.:-

Reply filed on behalf of the Respondent is taken on record.

2. This is an application by which the Applicant seeks condonation of delay in depositing the rent for the month of July, 2019. Having considered the averments made in the application, we were otherwise inclined to condone the delay and allow the Application. However, Mr. Menezes points out that the Respondent has set out in his reply the history of this litigation, as also the fact that there have been at least on three occasions in this Court itself when the deposit of rent was delayed by this Applicant.

3. Mr. Amonkar, learned Counsel for the Applicant, on the basis of instructions from the Applicant, now assures this Court that henceforth there will be no delay in deposit of the rents. This statement is accepted.

4. As and by way of last chance, delay is condoned, subject to the Applicant paying to the Respondent costs of ₹ 3000 within a period of one week from today. If this amount of costs are not paid within one week from today and the Respondent is required to make any application to recover this sum, this Court will consider enhancement of the costs amount to at least ₹ 10,000. The costs may either be paid or deposited in this Court. If deposited, the Respondent is at liberty to withdraw the same unconditionally.

5. The Application is accordingly allowed in terms of prayer clause (a).

Nutan D. Sardesai, J.

M.S. Sonak, J.