

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 353 OF 2019

IN

STAMP NUMBER MAIN NO. 3484 OF 2018

ETELVINA MONTEIRA @ ETELVINA
RODRIGUES, THR. POA, MERVIN
MONTEIRO.,

... Applicant

Versus

NATALIN ARAUJO FERNANDES @
NATALINA FERNANDES @ NATALIN
FERNANDES AND 4 ORS.,

... Respondents

Mr. Gaurish N. Agni, Advocate for the Applicant.

Mr. Joseph Vaz, Advocate for Respondent Nos. 2 and 3.

Coram:- C. V. BHADANG, J.

Date:- 26th August, 2019

P.C.

This is an application for condonation of delay in filing Civil Revision Application, challenging the order dated 06.07.2018, passed by the learned Registrar (Judicial), thereby refusing registration of Stamp No. 545/2018.

2. I have heard the learned Counsel for the parties. Perused the application for condonation of delay as well as the Civil Revision Application filed by the applicant.

3. Mr. Vaz, the learned Counsel for the respondent nos. 2 and 3 has opposed the application, on the ground that in pursuance of the judgment and decree, passed by the first Appellate Court and after waiting for the period of limitation to get over, the respondent nos. 2 and 3 have applied for restoration of their name in the revenue record and got the deed of succession cancelled. He, therefore, submits that nothing survives in the Second Appeal.

4. I am afraid that this aspect cannot be looked into when the order of the learned Registrar (Judicial) is being challenged.

5. For the reasons mentioned in the application, the same is allowed. The delay is condoned. Let the Civil Revision Application be registered.

C. V. BHADANG, J.

EV