

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 114 OF 2019

IN

STAMP NUMBER MAIN NO. 3537 OF 2018

THE EXECUTIVE ENGINEER, WORKS
DIVISION III (PHE), PANAJI.,

... Applicant

Versus

AUGUSTA IRIA VALLES (DEC) THR. HER
LEGAL HEIR, EDGAR FRANCISCO DIAS
VALLES.,

... Respondent

Ms. Susan Linhares, Additional Government Advocate for the
applicant.

None again for the respondent.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 16th April 2019

P.C.:

Heard Ms. Linhares, learned Additional Government
Advocate for the applicant.

2. It was her contention that though the impugned order was passed on 19/08/2017 and the certified copy applied on the same date, the same was ready on 30/09/2018. Since the copy earlier applied for was misplaced thereafter appeal came to be filed on 19/10/2018. There was a delay of 292 days in filing the appeal which in the normal course ought to have been filed by 30/12/2017. There was sufficient cause for the delay and the file

moved to various offices for approvals namely Law Department and Office of the Advocate General. Although the respondents have opposed the application and set out that the applicant was negligent and casual in the application, there has been no assertion on this fact by way of an argument to belie the contention of Ms. Linhares, learned Additional Government Advocate.

3. Having considered the grounds urged in the application which have been found genuine, the application is allowed. The delay is condoned. Registry to register the appeal.

4. The application accordingly stands disposed off.

NUTAN D. SARDESSAI, J.

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