

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL MISC. APPLICATION NO. 218 OF 2019
IN
STAMP NUMBER MAIN NO. 787 OF 2019

FRANKI GOMES., ... Applicant

Versus

FAYYAZ AHMED SUNKAD., ... Respondent

Shri Gaurang D. Panandiker, Advocate for the applicant.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 9th March, 2020

P.C.:

Heard Shri G. Panandikar, learned Advocate for the applicant.

2. It was his contention that as on 11/12/2019 the application came to be dismissed for default and non-prosecution on the specious premise that there was repeated default on behalf of the applicant, despite the fact that it was factually incorrect. It was his contention that on hearing exemption was sought by the applicant and it was not as if the applicant was persistently absent before the Court.

3. Looking to the tenor of the order passed by the learned J.M.F.C., i see no reason to sustain the same. In view thereof,

leave to appeal is granted.

4. The application accordingly stands disposed off.

5. Registry to register the Stamp No.787 of 2019

NUTAN D. SARDESSAI, J.

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