

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 117 OF 2020

IN

APPEAL FROM ORDER NO. 8 OF 2017

LEOCADIA ELIZA D'SOUZA, THR. POA
BY APPELLANT NO. 9 AND 9 ORS.,

... Applicants

Versus

SANTANA PHILIP PINTO AND 12 ORS.,

... Respondents

Adv. Ashwin D. Bhobe for the Applicants.

Adv. Rama Gajanan Rivankar for Respondent nos. 8 & 9.

Coram:- DAMA SESHADRI NAIDU, J.

Date:- 17th February, 2020

P.C.:

The appellant has come to know that the 3rd respondent died. So he wanted to bring on record his legal representatives. Accordingly, he has filed this misc. civil application. At any rate, registry seems to have objected to entertaining that application on the ground that the appellant has not produced the death certificate of the third respondent. As the applicant is a third party, it may not be possible for him to secure the third respondent's death certificate. Accordingly, its production is dispensed with. Further, the third respondent's death may not be in doubt because his wife has already been a party to the proceedings and has not contradicted the appellants' assertion in that regard.

2. For the reasons mentioned in the application, the M.C.A. No.117/2020 is allowed and the third respondent's legal representatives are brought on record as respondent nos.3(a) (b) and (c).
3. The applicants' counsel also informs me that the third respondent's wife is already on record as respondent no.4.
4. Issue notice to the respondent nos.3(a) to 3(c), returnable on 9/3/2020.

DAMA SESHADRI NAIDU, J.

ap/-