

IN THE HIGH COURT OF BOMBAY AT GOA**MISC.CIVIL APPLICATION NO. 75 OF 2018****IN****STAMP NUMBER MAIN NO. 4111 OF 2017**

RAMAKANT GAJANAN NAIK
PRATAPRAO SARDESSAI (DEC)
AND ORS.

... Applicants

Versus

THE GOVERNMENT OF GOA,
REP. BY ITS CHIEF SECRETARY
AND 29 ORS.

... Respondents

Shri R. G. Ramani, Advocate for the Applicants.
Ms. Susan Linhares, Additional Government Advocate for
Respondents No.1,2,3 & 4.

Coram: DAMA SESHADRI NAIDU, J.**Date: 13th January 2020****P.C.:**

On 26th November 2015, the trial Court dismissed the suit. Instead of appealing against the decree, the plaintiff filed the review petition on 5th February 2016. Eventually, the trial Court dismissed that review application on 25th September 2017. Then, on 14th December 2017, the plaintiff filed this First Appeal. By then, there occurred a delay of one year, nine months, and twenty days.

2. To have the delay condoned in the First appeal, the appellants filed Misc. Civil application No.75/2018.

3. The learned Counsel for the appellants submits that the appellants have bona fide pursued the review remedy. Soon after its dismissal he has filed this First Appeal. According to him, the delay occurred only because the appellants had been pursuing a parallel remedy and that it needs to be condoned.

4. On the other hand, the learned Additional Government Advocate has opposed the application for condonation of delay.

Nevertheless, for the reasons mentioned in the application for the delay condonation, I condone the delay. Registry to number the First Appeal and post it for admission in the usual course.

DAMA SESHADRI NAIDU, J.

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