

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO.283 OF 2021
IN/WITH
MISC. CIVIL APPLICATION NO.287 OF 2021
IN
SECOND APPEAL NO.20 OF 2011
WITH
MISC. CIVIL APPLICATION NO.283 OF 2021
IN/WITH
MISC. CIVIL APPLICATION NO.287 OF 2021
WITH
MISC. CIVIL APPLICATION NO.286 OF 2021
IN/WITH
MISC. CIVIL APPLICATION NO.285 OF 2021**

PURUSHOTTAM RAMA NAIKAPPLICANTS.
(DEC)

Versus.

ANANDA MANGESH SINAI
COISSORO AND 7 ORSRESPONDENTS

Ms. Jay Sawaikar, Advocate *for the Applicants.*

Mr. Guru Shirodkar, with Ms. Varsha Parab, Advocates *for Respondent No.3.*

CORAM : M. S. SONAK, J.

DATE : 2nd December 2022

P.C. :-

1. These are Misc. Civil Applications seeking condonation of delay and leave to bring on record the legal representatives of

Respondents No.1 and 7. In one of the applications, the delay is of about 8 years and in the other, the delay is of about 570 days.

2. Although the delay is inordinate, that, by itself, may not be a ground not to condone the same. In such matters, it is the quality of the cause shown that is important. The Applicants have explained that they were not aware of the requirement of bringing the legal representatives on record. There is no reply filed opposing the application for condonation of delay. Besides, this is not a case where the applicants have secured any undue advantage by the delay. Therefore, prejudice, if any to the legal representatives, can always be compensated by payment of costs.

3. Accordingly, the applications seeking condonation of delay are allowed, subject to the applicants depositing costs of ₹5,000/- in each of the applications, in this Court. Once the costs are deposited, it will be open to the legal representatives to withdraw the same.

4. Similarly, abatement, if any, is set aside and leave is granted to bring on record the legal representatives of the deceased Respondents No.1 and 7.

5. Ms. Sawaikar states that the costs will be deposited within 4 weeks from today and no sooner the same are deposited, necessary amendment will also be carried out.
6. Misc. Civil Applications are disposed of in the above terms.

M. S. SONAK, J.

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