

Sonam

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 118 OF 2019
IN
FIRST APPEAL NO. 242/2007

FELICIANA DCUNHA (DEC.)
REPRESENTED BY POA
MR. MANUEL XAVIER DCUNHA
AND 11 ORS

... Applicants.

VS

THE CHIEF SECRETARY,
GOVT OF GOA AND 8 ORS.,

... Respondents

Ms. Sonadevi Nishad, Advocate for the Applicants.

Ms. Susan Linhares, Additional Government Advocate for
respondent no. 1 & 2.

Ms. Divya Parab, holding for Mr Sudin Usgaonkar, Senior Advocate
for respondents no. 5 & 6.

CORAM: VALMIKI SA MENEZES, J.

DATED: 25th October, 2023

P.C.

1. This is an application to bring on record legal representatives of deceased respondent no. 8(A), who is stated to have expired, on 14.02.2012. The application is supported by an affidavit of the appellant no. 3, which states that the appellants did not have the knowledge of the death of deceased respondent no. 8(A) and came to know only on

19.11.2018 after seeing the Bailiff's report on 19.11.2018. The application is filed on 18.01.2019.

2. Though there is a delay in filing the application, the explanation given in paragraph 4 of the application is accepted and accordingly the delay is condoned. The application is allowed.

3. Since the legal representatives of the deceased respondent no. 8(A) are already on record and impleaded as Respondents No.10(A) and 10(B), the question of condonation of delay does not arise. The appellant shall record the death of the deceased respondent no. 8(A) forthwith.

4. The application stands disposed of.

VALMIKI SA MENEZES, J.