

Niti

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.145 OF 2022

IN

STAMP NUMBER (APPLN.) NO.390 OF 2020 (F)

CLESFAS EUGENIO CUSTODIO CAEIRO

... APPLICANT

Versus

**EXPERION HOSPITALITY PVT. LTD.,
THR. ITS AUTH. REP., SANJAY K. JHA
AND 2 ORS**

... RESPONDENTS

Mr P.A. Kamat, Advocate for the Applicant.

Ms M. Viegas, Advocate for the Respondent.

CORAM:- M. S. SONAK, J.

DATED :- 14th December, 2023

P.C.:

Heard Mr P.A. Kamat for the applicant and Ms M. Viegas for the respondent.

2. According to the office calculations, there is a delay of 126 days in instituting the Cross-objections, though the applicant, as a matter of abundant caution, has sought for condonation of delay of 71 days. Ms M. Viegas opposes the condonation by submitting that no sufficient cause has been shown.

3. The applicant was 83 years old when this application was filed. Proper reasons have been set out in paragraphs 4 and 5 of the civil

application. The main reason was the ill health of the applicant and his wife. Accordingly, sufficient cause has been shown.

4. The delay in instituting the Cross-objections is condoned. Misc. Civil Application No.145/2022 is disposed of.

5. The Cross-objections will now have to be registered and taken up for consideration along with the main appeal, that is, First Appeal No.23/2019, which is already admitted.

M. S. SONAK, J.

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