

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC. CIVIL APPLICATION NO.141 OF 2023

IN

SECOND APPEAL NO. 474 OF 2021 (Filing No.)

VEDANTA LTD. (FORM. KNOWN
AS SESA GOA LTD.)

... Applicant

Versus

JOHN FILIPE COSTA AND 2 ORS.

... Respondents

Mr. R. G. Ramani, Senior Advocate with Mr. P. Kakodkar,
Advocate for the Applicant.

Mr. R. Menezes, Advocate for Respondent Nos. 1 and 2.

Mr. J. Godinho, Advocate for Respondent No.3.

CORAM: M. S. SONAK, J.

DATED : 27th APRIL 2023

P.C.:

1. Heard Mr. Ramani, learned Senior Advocate who appears along with Mr. P. Kakodkar for the Applicant. Mr. R. Menezes appears and waives notice for Respondent Nos. 1 and 2. Mr. J. Godinho appears and waives notice for Respondent No.3.

2. This application seeks condonation of delay of 175 days in instituting the Second Appeal.

3. The reason set out is that the limitation period expired on 04.06.2020 when Covid-19 Pandemic was raging. The reliance is

placed on the decision of the Hon'ble Supreme Court in Suo Motu Writ Petition (C) No.3 of 2020 by which the cognizance for extension of limitation was taken by the Hon'ble Supreme Court. This decision is reported in 2022 (3) SCC 117. Further, sufficient cause is also shown in paragraphs 6 to 11 of the Misc. Civil Application.

4. Further, Mr Ramani pointed out that the delay of 226 days in instituting Second Appeal No.206 of 2021 (F) instituted by Respondent No.3 against the same judgment and order was condoned by this Court in Misc. Civil Application No.7 of 2023 by order dated 23.02.2023.

5. Considering all the above factors and mainly the sufficient cause shown, the delay of 175 days in instituting the Second Appeal is hereby condoned.

6. The Misc. Civil Application is disposed of.

M. S. SONAK, J.