

Santosh

**IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 251 OF 2023
IN
SECOND APPEAL NO. 66 OF 2009**

JOSE FRANCISCO CAMILO
(SINCE DECEASED) AND
ANR

... Applicants.

Versus

MARIA SERAFINA DA CRUZ

.... Respondents.

Mr V.R. Tamba with Mr Paresh P. Sawant, Advocates for the
Applicants.

CORAM : M. S. SONAK, J.

DATE : 8TH SEPTEMBER 2023

P.C. :

1. Heard Mr Paresh Sawant for the Applicant.
2. A sufficient cause has been shown in the application for non-appearance on 13/4/2023. Some explanation is also offered why even on previous dates there was non-appearance. It is explained that the Advocate on record who used to attend this matter, left the chamber, as a result of it, the matter could not be attended to.
3. The explanation is satisfactory. A sufficient cause is shown. Accordingly, the order dated 13/4/2023, dismissing Second Appeal No.66/2009 for non-prosecution, is recalled. Second Appeal No.66/2009 is restored. The same should now be added to the final hearing board.

4. Mr Tamba and Mr Sawant state that they will attend to this matter when it is called out for final hearing.
5. Misc. Civil Application No.251/2023 is allowed.
6. There shall be no order for costs.

M. S. SONAK, J