

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.795 OF 2019

IN

STAMP NUMBER MAIN NO.1966 OF 2019 (F)

RESHMA RAMESH SANGEKAR AND 4 ORS., ... APPLICANTS

Versus

EMPRESSA INDUSTRIAL KRISHNA AND 10

ORS., ... RESPONDENTS

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

Mr J. J. Mulgaonkar and Ms.D. Apte, Advocates for Respondent Nos. 1 to 4.

Mr P. Kakodkar, Advocate for Respondent No.10.

CORAM:- M. S. SONAK, J.

DATED :- 9th November, 2023

P.C.:

Heard Mr P. A. Kamat, learned counsel for the Applicants. Mr J. Mulgaonkar appears with Ms D. Apte, learned counsel for Respondent Nos. 1 to 4 and Mr P. Kakodkar appears for Respondent No.10.

2 Mr Kamat points out that Respondent Nos. 1 to 4 and 10 are contesting Respondents. He points out that Respondent Nos. 5 and 6 were not contesting Respondents and there is some difficulty about service upon them. Mr Kamat states that all the remaining Respondents are served.

3. This is an application seeking condonation of delay of 98 days in

instituting the first appeal. The delay has been sufficiently explained in as much as this appeal was mistakenly filed before the District Court earlier. Upon this mistake being pointed out, this appeal was instituted.

4 Full explanation is offered in paras 2 and 3 of the Misc. Civil Application. The explanation offered constitutes sufficient cause. The delay is also well within the bounds of reasonability.

5 For all the above reasons, this application is allowed and the delay of 98 days in instituting the appeal is condoned.

6. The Misc. Civil Application is disposed of.

M. S. SONAK, J.