

Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
MISC. CIVIL APPLICATION NO. 376 OF 2022
AND
MISC. CIVIL APPLICATION NO. 2534 OF 2022 (Filing No.)
IN
WRIT PETITION NO. 228 OF 2021

BERTALINHA LOURENCO
REP. BY POA HELEN LOURENCO

... Applicant

Versus

JOHN LOURENCO AND 3 ORS.

... Respondents

Mr. S. D. Padiyar and Mr. P. Shirodkar, Advocates for the Applicant.

Mr. J. A. Lobo, Advocate for Respondent No.3.

Mr. P. A. Kamat, Advocate for Respondent No.4.

Mr. Anthony D'Silva and Ms. K. Gracias, Advocates for the original Petitioner in WP No. 912 of 2019.

CORAM: M. S. SONAK, J.

DATED : 17th FEBRUARY 2023

P.C.:

1. Heard Mr. S. D. Padiyar, learned counsel for the Applicant, Mr. J. A. Lobo, learned counsel for Respondent No.3 and Mr. P. A. Kamat, learned counsel for Respondent No.4.

2. Perused the application for restoration and application for condonation of delay. The Applicant has explained that she had

engaged an Advocate. However, the Advocate withdrew his appearance. The power of attorney was keeping track of the matter and by inadvertently could not remain present on the date when the petition came to be dismissed for non-prosecution. The application is backed by an affidavit of power of attorney holder of the Petitioner. The cause shown is sufficient to condone the delay of 42 days and also for restoration.

3. Accordingly, the delay is condoned and the order dated 07.09.2022 is recalled. Writ Petition No. 228 of 2021 is restored to the file.

4. Misc. Civil Application Nos. 376 of 2022 and 2534 of 2022 (F) are disposed of.

M. S. SONAK, J.