

Gayatri

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1594 OF 2023
IN
FIRST APPEAL NO.1185 OF 2005**

Issac John Gonsalves ... Applicant

V/s.

Concessio Gonsalves and Ors. ... Respondents

**WITH
INTERIM APPLICATION NO.1595 OF 2023
IN
FIRST APPEAL NO.1185 OF 2005**

Issac John Gonsalves ... Applicant

V/s.

Concessio Gonsalves (LRS. And
Representative of Original Defendant
No.1, Late Shri Simon and ors. ... Respondents

**WITH
INTERIM APPLICATION NO.1596 OF 2023
IN
FIRST APPEAL NO.1185 OF 2005**

Issac John Gonsalves ... Applicant

V/s.

Concessio Gonsalves and Ors. ... Respondents

**WITH
CIVIL APPLICATION NO.2837 OF 2005
IN
FIRST APPEAL NO.1185 OF 2005**

Joana Joshi Gonsalves (Since Deceased ...Applicant
deleted as per Courts Order dated

18/122/2011 in CA 2053/10) and Ors.

V/s.

Concessio Gonsalves (LRS. And
Representative of Original Defendant
No.1, Late Shri Simon and ors. ... Respondents

Mr. J.M. D'silva a/w. Jacinta D'Silva for the Applicant.

Mr. Santosh Parad for the Respondent-MCGM.

Mr. Abhay L. Patki for Respondent Nos. 1 to 6.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2023

P.C.:

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1. The application has been filed for recalling of order dated 22nd December, 2022 passed by Registrar (Judicial-II) dismissing the appeal against unserved Respondent Nos.7 to 10.

2. For the reason stated in the Application, the Interim Application is allowed in terms of prayer Clause (a) and (b).

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3. The application is for substituted service to serve Respondent Nos. 7 to 10.

4. For the reason stated in paragraph Nos. 3 and 4, the interim Application is allowed in terms of prayer Clause (a).

(AMIT BORKAR, J.)