

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1613 OF 2024

IN

FIRST APPEAL NO. 1185 OF 2005

Issac John Gonsalves

: Applicant

IN THE MATTER BETWEEN

1. Joana John Gonsalves, (Deleted Since Deceased)

2. Roman John Gonsalves & Ors.

: Appellants

Vs.

Concessio Gonsalves & Ors.

: Respondents

Adv. J. M. D'silva, for the Applicant.

None for the respondents.

CORAM : KISHORE C. SANT, J.

DATE : 1st APRIL, 2024**PC. :**

1. This Application is filed for bringing on record legal heirs of deceased Respondent No. 4 in the Appeal namely Melwyn Simon D'Souza, legal heirs are shown as per the schedule to the Application.

2. There is delay 221 days caused in filing Application. It is stated that Advocate for the Respondent given intimation on 12.12.2023 of

the death of Respondent No. 4. It is therefore the Application is filed after delay, for want of knowledge of the death the legal heirs of Respondent No. 4 could not be filed.

3. Considering this, delay stands condoned. The Application is allowed and disposed of.

4. The Applicant to carry out amendment showing as in the schedule page no. 10 to the Application 4 (a) and 4 (b) and it is added by carry out necessary amendment in the title cause of the Appeal within two weeks from today.

(KISHORE C. SANT, J.)