



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.99 OF 2025

IN

SECOND APPEAL NO.37 OF 2012

BETU CUSTA VELIP (SINCE DECEASED)

THR. LRS AND 15 ORS

... APPLICANTS

Versus

ANTONIO DIAS E PINTO (SINCE

DECEASED) AND 4 ORS.,

... RESPONDENTS

Ms. Pooja Naik, Advocate for the Applicants.

Mr. Ivan Santimano, Advocate for the Respondents.

CORAM:- BHARATI DANGRE, J.

DATED :- 13th June, 2025

P.C.:

By order dated 05.09.2012 passed on Civil Application No.44 of 2012, taken out in Second Appeal, it was directed that the operation of the impugned judgment and decree dated 12.10.2011 be stayed subject to the appellants depositing in the Court, a sum of Rs.5000/- in the month of December of every year until the disposal of the above appeal and the amount deposited was directed to be subject to the final orders passed in the Second appeal.

The amount so deposited was directed to be invested in a fixed deposit for a period of two years.

2. The present application is filed seeking extension of time to ensure compliance of the said order, as it is submitted that the appellants had been diligent in depositing the said amount, except he missed the installment due for the year 2023, the amount due for the year 2024 has accordingly deposited.

3 On hearing the learned counsel for the applicants and perusal of the application, since it appears that the default is bonafide and otherwise the appellants had been diligent in depositing the amount as directed by this Court, I permit the appellants to deposit the amount of Rs.5000/- for the year 2023 within a period of 15 days from today.

The learned counsel for the respondents do not raise any serious objection to the extension of time.

The application is made absolute in terms of prayer clause (a).

Upon the amount is being deposited within 15 days, the lapse shall not be construed as default on the part of the appellants.

BHARATI DANGRE, J.