



Meena

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO.10 OF 2025

WITH

FIRST APPEAL NO.93 OF 2023

CIVIL REVISION APPLICATION NO.10 OF 2025

IN

FIRST APPEAL NO.93 OF 2023

RAJARAM NAIK

... APPLICANT

Versus

CHOWGULE AND COMPANY PVT. LTD.,

REP. BY ITD DULY CONST. POA.,

SUDHIR Y. WAKHALE AND 2 ORS

... RESPONDENTS

WITH

FIRST APPEAL NO.93 OF 2023

CHOWGULE AND COMPANY PRIVATE

LIMITED REP BY POA SUDHIR Y.

WAKHALE

... APPELLANT

Versus

THE STATE OF GOA THR CHIEF

SECRETARY AND 2 ORS

... RESPONDENTS

Mr Vilas P. Thali with Mr Rajdeep Prabhudessai, Advocates for the Applicant.

Mr. S.D. Lotlikar, Senior Advocate with Mr. S. Polle, Advocate for the Respondents.

CORAM:- VALMIKI MENEZES, J.

DATED :- 25th June, 2025

P.C.:

1. Registry to waive the office objections and register the matter.
2. The objections raised are not in the nature of cross-objection to

the decree but are in the nature of objections under Order 41 Rule 22 CPC. This need not be raised in writing and could be argued to upset the adverse findings given in the judgment, though the party supports the decree. In that view of the matter, the party could not be called upon to pay Court fees ad valorem based on the decree.

3. In the present case, in fact, objections are to the finding that the suit was barred by limitation, and the Respondent was seeking dismissal of the suit on that point in addition to the dismissal on the other point.

4. The Court fees need not be paid in light of the above discussion. The Registrar's order dated 04.04.2025 is therefore quashed and set aside. Let the First Appeal No. 93 of 2023 be added to the final hearing board commencing from 01.08.2025. The cross-objections be considered and need not be registered separately.

5. The revision application stands allowed.

VALMIKI MENEZES, J.