

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.409 OF 2024

WITH

SECOND APPEAL NO.45 OF 2013

MISC.CIVIL APPLICATION NO.409 OF 2024

BASTENA DSA GONSALVES ALIAS

SEBASTEANA DSA.,

... APPLICANT

Versus

MARIA DOMINGO PEREIRA AND ANR.,

... RESPONDENTS

WITH

SECOND APPEAL NO.45 OF 2013

BASTENA D'SA GONSALVES ALIAS

SEBASTEANA D'SA.,

... APPELLANT

Versus

MARIA DOMINGO PEREIRA AND ANR.,

... RESPONDENTS

Mr. Pranav Shenvi Kakodkar, Advocate for the Applicant.

CORAM:- BHARATI H. DANGRE, J.

DATED :- 19th March, 2025

P.C.

At the outset, the learned Counsel for the Applicant seeks leave to amend prayer clause (ii) of the Application and correct the period of delay of "5 days" to "6 days".

2. Leave granted. Necessary amendment to be carried out forthwith.

3. MCA No. 409 of 2024 seeks condonation of delay of 6 days in filing the Application for bringing the legal representatives of deceased Respondent No. 1 on record.

4. Heard learned Counsel for the Applicant and perused the Application.

5. The Application is accompanied by a death certificate of Maria Dominga Lobo issued by the office of the Village Panchayat of Azossim, Neura, Goa.

6. There is a delay of 6 days in filing the Application for the purpose of Respondent No. 1 being substituted by the legal representatives and since the Application is supported by an affidavit, the same is made absolute in terms of its prayers.

7. On the Application being allowed, the cause title of the Second Appeal shall be duly amended by substituting Respondent No. 1 by her legal representatives.

Pursuant thereof, issue notice to the legal representatives of Respondent No. 1, by making it returnable on 16.04.2025.

BHARATI H. DANGRE, J.