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IN THE HIGH COURT OF BOMBAY AT GOA

**MISC. CIVIL APPLICATION NO. 188 OF 2025
IN
MISC. CIVIL APPLICATION NO. 2659 OF 2024(F)
WITH
APPEAL FROM ORDER NO. 509 OF 2021(F)
WITH
CIVIL REVISION APPLICATION NO. 16 OF 2024**

RAJIV S. BHAT

... Petitioners

Versus

**JAGDISH KUMAR DHINGRA
AND 12 ORS.**

...Respondents

Ms. F. M. Mesquita, Advocate for the Applicant.

***Mr. Kishan Kavlekar (through V.C.) with Mr. Yash Naik,
Advocates for Respondent Nos. 1 to 3.***

Ms. S. Parulekar, Advocate for Respondent Nos. 4, 8, & 10.

***Ms. S. Drago (through V.C.), Advocate for Respondent
Nos. 5 and 9.***

***Mr. Akhil Parrikar (through V.C.), Advocate for
Respondent Nos. 11 and 12.***

CORAM : VALMIKI MENEZES, J.

DATED : 23RD JULY, 2025.

P.C.:

1. Registry to waive objections and register the matter.

2. This is an application for condonation of delay and for restoration of CRA No. 521/2024(F) now registered as CRA No. 16/2024 and in AO No. 509/2021(F). The application has been filed to restore both the above matters i.e. AO No. 509/2021(F) and CRA No. 16/2024 on the ground that though a common order was passed by this Court on 22.08.2024 in three matters i.e. aforementioned two matters and another AO No. 8/2021 filed by one Ajay Jolly, the order directing payment of process fees actually pertains to the last matter and not to the aforementioned matters.

3. It is further statement of the Applicant that process fees were paid within time in AO No. 509/2021(F) and CRA No. 16/2024, and therefore, there was no cause for considering these two matters as dismissed for default of the Applicant.

4. This application is vehemently opposed by the learned Advocate for Respondent Nos. 1, 2, and 3, for allowing the same, whilst respective learned Advocates for Respondent Nos. 5 and 9, Respondent Nos. 4, 8 and 10 and Respondent Nos. 11 and 12 have no objection for allowing the same.

5. Considering the record, it is obvious that the Applicant has in fact paid the process fees in time and the directions contained in order dated 22.08.02024 did not apply to AO

509/2021(F) and CRA No. 16/2024, though it apply to AO No. 8/2021.

6. Considering this position, the Miscellaneous Civil Application No. 188 of 2025 is allowed. The delay is condoned, and AO No. 509/2021(F) and CRA No. 16/2024 are restored to the file.

7. The Miscellaneous Civil Application No. 188 of 2025 stands disposed of.

8. AO No. 509/2021(F) and CRA No. 16/2024 may be listed for admission on 22.08.2025.

VALMIKI MENEZES, J.