



Jose

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.307 OF 2025

IN

FIRST APPEAL NO.3037 OF 2024 (F)

M/S. OCEAN PEARL SEA FOOD THR.

ITS PROPRIETO SHEELA WALTER

... APPLICANT

Versus

THE CHIEF SECRETARY, GOVT. OF

GOA, SECRETARIAT HOUSE AND 7 ORS

... RESPONDENTS

Ms. Priyanka Kamat, Advocate for the Applicant.

Mr. Shivdatt P. Munj, Additional Government Advocate for
Respondent Nos.1 and 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 11th November, 2025

P.C.:

1. Registry to waive office objections and register the matter.
2. This is an application for condonation of delay of 209 days delay in filing the First Appeal against a Judgment and Decree dated 30.04.2022 passed by the District Court rejecting the plaint filed by the Appellants. There is no reply filed by any of the Respondents who are all served in the matter.
3. The two main reasons for filing the appeal beyond limitation are:

(a) That the Advocate representing the original Plaintiffs neither argued the application for rejection of plaint nor was present when the impugned order was passed.; it was further contended that the Plaintiff was never informed by the Advocate about the passing of the impugned order and it was only when the Applicants enquired with the Lawyer that they gained knowledge of the suit having been rejected.

(b) That the Plaintiff was suffering from certain medical conditions and was given medical advice. The submission is based upon the medical certificate which is issued by a registered Medical Practitioner annexed to the application.

4. The reasons cited in the application have otherwise not been denied. The application is supported by an affidavit and by a medical certificate. Therefore, good cause has been shown for condoning delay in filing the First Appeal. Application is allowed. The delay is condoned.

5. MCA stands disposed of.

VALMIKI MENEZES, J.