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IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.280 OF 2025
IN
CIVIL REVISION APPLICATION NO.45 OF 2026

PRADIP DATTAJIRAV KHARDEKAR ... APPLICANT

Versus

JOHN YURI LOBO AND 3 ORS ... RESPONDENTS

Mr. Rishikesh Gawthankar, Advocate for the Applicant.

CORAM:- VALMIKI MENEZES, J.

DATED :- 23rd October, 2026

P.C.:

1. This is an application for condonation of delay of 67 days in filing the Civil Revision Application, to challenge the order dated 07.04.2025, passed by the Civil Judge, Senior Division at Bicholim in Special Civil Suit No. 9/2023/A. From the record, it appears that the Applicant had initially filed a proceeding before the District Court to challenge the impugned order, which ultimately came to be withdrawn on 10.07.2025, and the present Civil Revision Application was filed under Section 115 of CPC.

2. From the record, it transpires that after having withdrawn the proceedings before the District Court on 10.07.2025, the Petitioner waited until 08.08.2025, almost for one month and applied for a fresh certified copy, the delivery of which was to be taken on

12.08.2025. Even though the certified copy was ready on 12.08.2025, the Petitioner took delivery only on 04.09.2025 and has filed the present Civil Revision only on 16.09.2026. There is no proper explanation given for the inordinate delay in applying for the fresh certified copy or for collecting the same within the time specified. On this count alone, the application for condonation of delay must be dismissed.

3. I have also considered the grounds raised in the Civil Revision Application, which does not justify entertaining the same. The Petitioner had filed earlier an application under Order 7 Rule 11 before the Trial Court which was rejected on 22.04.2024. That order was not challenged further. The Applicant has then filed second application for rejection of the plaint, styling the same as one under Section 151 CPC. That application would not be maintainable and the Court would have no jurisdiction, as rightly held by the impugned order, to entertain the same.

4. No cause has been made out to condone the delay. Misc. Civil Application No. 280/2025 stands rejected. As a consequence, Civil Revision Application No. 2464/2025(F) is also rejected. Registry shall waive office objections and register the same before uploading this order.

5. Misc. Civil Application No. 280/2025 and Civil Revision

Application No. 2464/2025(F) stand disposed of.

VALMIKI MENEZES, J.