



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.55 OF 2026

IN

FIRST APPEAL NO.2593 OF 2022 (F)

JOSEPH BARTHOL DSOUZA

... APPLICANT

Versus

SHARADCHANDRA VENKATESH NAGVEKAR

AND ANR

... RESPONDENT

Ms. Priyadarshini Volvoikar, Advocate for the Applicant.

Mr. Rohit Frias, Advocate for Respondent No.1(1) and 1(2).

Ms. Laxmi Dessai, Advocate for Respondent Nos. 1(3) and 1(4).

CORAM:- VALMIKI MENEZES, J.

DATED :- 3rd February, 2026

P.C.

1. Registry to waive objections and register the matter.
2. Affidavit of service along with the newspaper where the notice of substitute service by publication by issuing notice in the English Daily has been effected on the proposed LR's of Respondent No.1 is placed on record. When called out, none of the proposed LR's of Respondent No.1 are present.
3. Though the application is opposed by the Respondent No.1(1) and 1(2) claiming that Appellant had knowledge about the names of LR's of deceased Respondent No.1 while the matter was before the trial

Court, there is no specific averment in the affidavit-in-reply to substantiate this stand. The affidavit is silent as to what basis the knowledge of the Appellants of the names of the LR's can be attributed.

In this view of the matter, the delay in filing the application is justified since the application has been filed within a reasonable period of time after the Appellant has gained knowledge of the death.

4. For the reasons mentioned in the application, Miscellaneous Civil Application No.55 of 2026 is allowed. The Appellant shall carry out amendment in the cause-title to incorporate the names of the LR's of deceased Respondent No.1 as Respondents No.1(1) to 1(6).

5. Miscellaneous Civil Application stands disposed of.

VALMIKI MENEZES, J.