



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.2851 OF 2025 (F)

WITH

**MISC.CIVIL APPLICATION NO.64 OF 2026, MISC.CIVIL
APPLICATION NO.65 OF 2026**

WRIT PETITION NO.2851 OF 2025 (F)

SHREE SHANTADURGA KITTALKARIN
DEVASTHAN REP BY ITS PRESIDENT SHR
UDAY NAIK DESSAI

... PETITIONER

Versus

SHAILESH K DESSAI ALIAS SHAILESH K
NAIK DESSAI AND ANR

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.64 OF 2026

IN

WRIT PETITION NO.2851 OF 2025 (F)

SHREE SHANTADURGA KITTALKARIN
DEVASTHAN REP BY ITS PRESIDENT SHR
UDAY NAIK DESSAI

... APPLICANT

Versus

SHAILESH K DESSAI ALIAS SHAILESH K
NAIK DESSAI

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.65 OF 2026

IN

WRIT PETITION NO.2851 OF 2025 (F)

SHREE SHANTADURGA KITTALKARIN
DEVASTHAN REP BY ITS PRESIDENT SHR
UDAY NAIK DESSAI

... APPLICANT

Versus

SHAILESH K DESSAI ALIAS SHAILESH K
NAIK DESSAI

... RESPONDENTS

Mr. Shivan Desai, Advocate with Ms. Riya Amonkar, Advocate for the
Petitioner.

Mr. C. A. Coutinho, Senior Advocate (through V.C.) with Mr. Ivan
Santimano, Advocate for Respondents No.1 and 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 6th February, 2026

P.C.

1. On hearing this Writ Petition, learned Counsel for the Petitioner pointed out that remedy available to the Petitioner by filing a revision application under Section 115 CPC, since the impugned Order disposes of a First Appeal setting aside a Decree of the trial Court which rejects the plaint of the Respondent.

Shri Shivan Desai, learned Advocate for the Petitioner, has filed an application for conversion of the Writ Petition to a Revision Application.

2. Registry to waive objections and register the Miscellaneous Civil Applications.

3. For the reasons stated in the application, the same is allowed. However, since there would be a delay of 9 days in filing the Revision Application from the date of passing of the impugned Order (after considering time taken for the issuance of certified copy) or 9 days reckoned from the date of filing of the Writ Petition considering that the Writ Petition was filed on the basis of bonafide legal advise, the delay in filing the Revision Application stands condoned. Consequently, the Miscellaneous Civil Application No.64 and Miscellaneous Civil Application No.65 of 2026 are allowed and stand disposed of.

4. The Registry shall re-register the Writ Petition No.2851/2025(Filing) as a Civil Revision Application.

5. List the Civil Revision Application after registration on 10.02.2026.

VALMIKI MENEZES, J.