

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISCELLANEOUS APPLICATION NO.53/2002 IN
CRIMINAL APPEAL NO. /2002 (stamp
No.198/22.1.2002)

1. Shri John Vaz,
s/o Caitan Vaz,
House no.481, Amona,
Quepem, Goa., and
2. Smt. Lourencinha Vaz
wife of John Vaz, House
No.481. Amona, Quepem,
Goa, both presently
lodged at Central Jail,
Aguada.

..... Appellants.

Versus

S T A T E

..... Respondent.

Mr. A. Monteiro, Advocate under Legal Aid Scheme for the
applicants.

Mr. A.N.S. Nadkarni, Advocate General with Mr. P.A.
Kamat, Addl. Govt. Advocate for the respondent.

CORAM: C.K. THAKKER, C.J &
P.V. HARDAS, J.

DATE: 2nd April, 2002.

ORAL JUDGMENT (Per Thakker, C.J.)

Rule. Mr. A.N.S. Nadkarni, learned Advocate
General waives service of notice on the respondents. In
the facts and circumstances, the matter is taken up
for final disposal.

2. This application is filed for condonation of
delay. When the Criminal Appeal was filed the Registry
raised objection that there was delay. It appears that

the Appeal was filed after the period prescribed by law of limitation had expired and there is a delay of 41 days. On the basis of the facts stated and the averments made in the application, it cannot be said that there is inaction, negligence or want of bona fide on the part of the applicants.

3. The delay is, therefore condoned. The application stands disposed of. Rule made accordingly.

C.K. THAKKER, C.J.

P. V.HARDAS, J.