Amrut

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1608 OF 2026

GOA STATE CO-OP. MILK PRODUCERS UNION LTD., REPRE THR PRIYESH SAWANT ... PETITIONER

Versus

AJIT TULSHIDAS KOSSAMBE ... RESPONDENT

Mr Vithal Naik, Advocate for Petitioner.
Mr Vishal Naik, Advocate for Respondent.

CORAM:- S. G. CHAPALGAONKAR, J.

DATED :- 5th November, 2026

P.C.

1. Petitioner impugns order dated 5th October 2026, passed by Civil Judge Senior Division, at Ponda Goa, in Special Civil Suit No.7/2021/A whereby the application filed by Petitioner seeking condonation of delay in filing written statement is declined consideration and consequently, written statement of Petitioner is not taken on record.

2. Heard learned Advocates appearing for respective parties.

3. Perusal of impugned order depicts that Petitioner has filed application for condonation of delay of 978 days caused in filing

written statement, which is rejected since Petitioner's Advocate failed to make his submissions on the application when called out and was not diligent in prosecuting the same. Apparently, there is no consideration on merits of application and it is dismissed for want of prosecution. Although conduct on the part of Petitioner cannot be countenanced, it would be appropriate in the interest of justice if Petitioner is granted one more opportunity to prosecute application on merit by compensating the Respondent.

4. In result, writ petition is allowed in terms of prayer clause (a) subject to condition that Petitioner pays or deposits costs of Rs.10,000/- with trial Court to be payable to Respondent within a period of three weeks from today.

5. Needless to state here that Petitioner shall positively proceed to argue the application for condonation of delay without seeking further adjournments on any count.

6. Writ Petition stands disposed of.

S. G. CHAPALGAONKAR, J.

Signed by: TARI AMRUT NAGESH
Designation: Private Secretary
Date: 05/11/2026 14:38:30