

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.302 OF 2015
IN
REJECTED CASE NO.98 OF 2012**

Shri.Hanmant Vishnu Varnekar ..Applicant
V/s.
Ramchandra Khashaba Nikam & Anr. ..Respondents

Mr.N.M. Dhamal for the Applicant-Appellant.

CORAM : M. S. SONAK, J.

DATE : 20 FEBRUARY 2017.

P.C.

1. For the reasons set out in the Civil Application the order dated 14-12-2007 is recalled. The Civil Application and the First Appeal is restored. The applicant to serve the respondent No.1 in the main appeal within a period of four weeks from today. If such service is not effected within a period of four weeks from today, pending application and the First Appeal once again stands dismissed.

2. In addition to the usual mode of service, private service is also permitted. The applicant to file affidavit of service. The Civil Application is disposed of in the aforesaid terms.

(M. S. SONAK, J.)