

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

M.C.A. STAMP NO.3704/2017

IN

C.A.O.NO.104/2016

IN

F.C.A. STAMP NO.25660/2015 (R.C. NO.69/2017)

Sau. Rajni Manoj Akre

..Vs..

Manoj Madhavrao Akre

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Shri S.D. Malke, Advocate for the applicant.

**CORAM : Z.A. HAQ, J.**

**DATE : 31.8.2018.**

1. Considering the nature of controversy and accepting the explanation given in the application, order passed by the learned Registrar (J.) on 17<sup>th</sup> January, 2017 dismissing the matter in default as the appellant had not taken steps to serve the respondent, is set aside and the Civil Application No.104/2015 is restored. Miscellaneous civil application is **allowed** accordingly. No costs.

2. **C.A.O.NO.104/2016**

Issue notice to the respondent.

The respondent may file reply / affidavit, if so advised, till 24<sup>th</sup> November, 2018.

List the application for further consideration on **28<sup>th</sup> November, 2018.**

The applicant / appellant shall supply copy of

memorandum of appeal also to be served on the non-applicant / respondent alongwith this civil application.

JUDGE

*Tambaskar.*