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

**INTERIM APPLICATION NO.30410 OF 2022
IN
SECOND APPEAL NO.302 OF 2016**

Kisabai Shankar Sawant (since deceased)
Through her Heirs and LRs.

1. Sajakka Tukaram Padalkar and Anr. ... Applicants

In the matter of

Kisabai Shankar Sawant ... Appellant

Versus

Shivaji Anandrao Sarnaik and Anr. ... Respondents

Ms. Shraddha Pawar i/by Mr Nilesh Patil, for the Applicants.

Mr. Bhushan Walimbe, for the Respondent Nos.1 and 2.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 21st DECEMBER 2022**

P.C. :

1. Application is taken out seeking setting aside/recall of order dated 20th June 2017 by which Second Appeal No.302 of 2016 as well as Civil Application No.581 of 2015 were dismissed for default.

2. Mr. Walimbe, learned counsel appearing for the Respondents strongly opposed the interim application. However, sufficient reasons are given in the interim

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application. For the reasons set out in the interim application, interim application is allowed in terms of prayer clauses (a) and (b).

[MADHAV J. JAMDAR, J.]