

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 10695 OF 2025

IN

FIRST APPEAL NO. 602 OF 2005

Sangeeta W/o.prakash Sawaskar And Ors.

... Applicants

Versus

Dhanaji Limba Markad And Ors.

... Respondents

.....

Mr. Ashok B. Tajane, Advocate for the Applicants.

Ms. Sneha S. Dwivedi, i/b. Ms. Jyoti Bajpayee, Advocate for Respondent No.3.

CORAM : SHIVKUMAR DIGE, J.

DATED : 4th AUGUST, 2025.

P. C. :

1. Heard learned counsel for the applicants and learned counsel for the respondents.

2. By this interim application, the learned counsel for the applicants is seeking correction in the Judgment and Order dated 16.01.2024. He submits that in title clause name "Sangeeta" be replaced with the name of "Sangita" and surname "Sawaskar" be replaced with "Savaskar".

3. Learned counsel for the applicant further seeking correction in the name of applicant No.2. He submits that the name of "Kadambari d/o. Prakash Sawaskar" be replaced with the words "Kadambari Kaivalya Paluskar". Learned counsel further submitted that applicant No.4 died after deciding this appeal. The applicant Nos. 1, 2,3 are the only legal

heirs of the appellant No.4

4. Learned counsel for the respondent No.3 strongly objected to allow the application on the ground that it was fault of the applicants.

5. I have heard both the learned counsel. This Court has disposed of the appeal in the month of January-2024. After disposal of the appeal, the appellant No.4 died. As per contention of learned counsel for the applicant the appellant Nos. 1 to 3 are the only legal heirs of the appellant No.4 and rest of the applicants / claimants have given their no objection to withdraw the amount by applicant Nos. 1 to 3.

6. Considering the submissions of both the learned counsel, Interim Application is allowed in terms of prayer clauses (a), (b) and (c).

7. The Applicant to pay cost of Rs.10,000/- to TATA Memorial Cancer Hospital, Mumbai.

8. Interim Application is disposed of.

(SHIVKUMAR DIGE, J.)