

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION (L) NO.13445 OF 2024
IN
TESTAMENTARY PETITION NO.2821 OF 2023

Deepak Ganesh Kadvekar alias Deepak G.
Kadvekar alias Deepak Kadvekar .. Deceased

Madhavi Deepak Kadvekar Applicant /
.. Original Petitioner

Versus

Shakuntala Ganesh Kadvekar alias Uma Caveator/
Prashant Shivalkar .. Respondent

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- Mr. Yogesh Dandekar, Advocate for Petitioner.
 - Mr. Akram Bastivi, Advocate for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 17, 2026

P.C.:

1. Heard Mr. Dandekar, learned Advocate for Petitioner and Mr. Bastivi, learned Advocate for Respondent.
2. Pursuant to the directions contained in the order dated 06.02.2026 and more specifically directions contained in paragraph No.5 of the said order Mr. Bastivi, learned Advocate for the Caveatrix who is the sister of the deceased informs the Court that appropriate partition suit which was filed in October – 2025 has been moved before the Trial Court. He would submit that Notice of Motion No.1835 of 2026 has been filed seeking appropriate interim orders in regard to the twin properties which are claimed to be ancestral

property of which cognizance has been recorded in paragraph Nos.3 and 4 of the aforesaid order. Once Caveatrix has taken steps to move Application – Exhibit – 5 before the Trial Court it is appropriate that the sister of the deceased who is the Plaintiff therein be given an adequate opportunity to seek appropriate injunctive reliefs as may be available to her in law before the Trial Court.

3. In that view of the matter, learned Trial Court is requested by this Court to dispose Notice of Motion No.1835 of 2026 which has been filed by Caveatrix being the Plaintiff therein as expeditiously as possible and in any event within a period of eight weeks from today.

4. If Affidavit-in-Reply to the Notice of Motion is not filed, the same is directed to be filed within a period of two weeks from today. Affidavit-in-Rejoinder, if any to be filed within a period of one week thereafter. Pleadings shall be completed within a period of three weeks as per the above order and thereafter as per the convenience of the learned Trial Court the Application below Exhibit-5 will be disposed after hearing both the sides.

5. All contentions of the parties are expressly kept open.

6. In view of the observations made in the order dated 06.02.2026, list the Petition and Interim Application on **10th July 2026**.