

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1873 OF 2011
IN
SUIT NO.1368 OF 2011

Pooja Builders & Developers	...	Applicant
In between		
Pooja Builders & Developers	...	Plaintiff
Vs.		
Narendrabahadur Jaygobind Singh		
& Ors.	...	Defendants

Mr. Atul S Singh, Adv. for applicant in CHS No.1776 of 2014.
Mr. Deepak Shukla, Adv. i/b. A R Shukla, Adv. for applicant in CHS
No.221 of 2015.

CORAM : MRS. ROSHAN DALVI, J.
DATE : 16th March, 2015.

P.C. :

1. This Notice of Motion has been taken out against defendants who are already on record. The defendants have not contested the suit. The plaintiff has not prosecuted the suit. Ad-interim relief has been refused. Thereafter the suit property has been sold to another party. That party has been allowed to be brought on record. The plaintiff has been allowed to carry out the necessary amendments. The plaintiff has applied for liberty to take out interim applications against that party. The plaintiff has applied for injunction against original defendants from putting up development or construction or from transferring the suit property. The suit property is already transferred. Hence Notice of Motion becomes infructuous. Hence Notice of Motion is dismissed with liberty to take out a fresh Notice of Motion against the party, who is to be now brought on

record and who is the real contesting defendant.

2. Notice of Motion is disposed of accordingly.
3. Suit is adjourned to 22nd April, 2015.

(ROSHAN DALVI, J.)