

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

INTERIM APPLICATION NO.253 OF 2025
IN
NOTICE OF MOTION NO.1213 OF 2017

Vignaharta Builders and Projects Pvt. Ltd. ...Applicant
In the matter between
Ashok Kothari ...Plaintiff
V/s.
Vignaharta Builders and Projects Pvt. Ltd. ...Defendant

WITH
SUIT NO.394 OF 2017
WITH
NOTICE OF MOTION NO.1213 OF 2017
IN
SUIT NO.394 OF 2017

Ms. Pooja Kshirsagar Kane with Mr. Aadil Parsurampur and Mr. Harsh Shah i/b I. C. Legal for the Plaintiff.
Mr. Rutvik Shirolkar h/f Mr. Aditya Shirke for the Defendant.

CORAM : ABHAY AHUJA, J.
DATE : 7th APRIL 2025

P.C. :

1. When the matter is called out, Ms. Kshirsagar, learned Counsel appears for the Plaintiff and submits that although the consent terms in the matter were exchanged between the parties, however, this morning she has been informed that the new developer, who has actually been constructing, has refused to sign the said consent terms.

2. Mr. Shiolkar, learned Counsel appears for the original Defendant and submits that the Notice of Motion filed in the matter is listed on 16th April, 2025 and this matter also be listed on the same date.
3. Ms. Kshirsagar submits that the Plaintiff has been awaiting for 13 years for the construction and just when the matter has been settled, the new developer is seeking to back off and that, therefore, this matter be listed under the same caption on 16th April, 2025 as well.
4. Accordingly, list on **16th April, 2025** under the same caption.

(ABHAY AHUJA, J.)