

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

**NOTICE OF MOTION NO. 498 OF 2014
IN
SUIT NO. 402 OF 2013**

**Atithi Developers Pvt. Ltd. ...Applicant
V/s.
Ramashankar R. Yadav and Ors. ...Respondents**

**WITH
SUIT NO. 402 OF 2013
WITH
NOTICE OF MOTION NO. 1007 OF 2013
WITH
INTERIM APPLICATION NO. 3053 OF 2025
WITH
INTERIM APPLICATION NO. 3048 OF 2025
WITH
INTERIM APPLICATION NO. 2048 OF 2025**

Mr. Ranjeev Carvalho with Mrs. Leena Shah i/b M/s Shah & Furia Associates for the Plaintiff.
Mr. Vansh Bahadur Sabhajeet Yadav for the Applicants in IA 3053/25 and IA 3048/25.
Mr. Aniket Ransubhe for the Respondents No. 1 and 2 in IA 2048 of 2025.

**CORAM : ABHAY AHUJA, J.
DATE : 11th SEPTEMBER, 2025**

PC. :

Interim Applications No. 3053 of 2025 and 3048 of 2025

1. After these Applications are heard for some time, upon a query from this Court as to the basis on which the Applicant is seeking dismissal of the Suit as the Applicant is not a party to the Suit, Mr. Yadav, learned Counsel appearing for the Applicant seeks some time to

furnish judgments of the Hon'ble Supreme Court in a similar situation that without seeking impleadment, the relief of dismissal of the Suit can be sought under Section 151 of the Code of Civil Procedure, 1908.

2. At his request to do the needful, list on **20th November, 2025**.

(ABHAY AHUJA, J.)