

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1515 OF 2015

Mrs. Charu K. Mehta .. Petitioner
VS.
Mr. Niket V. Mehta & ors. .. Respondents

Mr. P.S. Dani, Sr. Advocate i/b M/s Thakore Jariwala & Associates
for Petitioner.

Mrs. J. N. Shah i/b D. Shah and Co for Respondent No.2.

Ms Vaishali Nimbalkar, AGP for Respondent No.9.

CORAM : M. S. SONAK, J.
DATE : 13 FEBRUARY , 2015

P.C. :-

1] In this case, notice had been given for final disposal of this petition, at the stage of admission.

2] This petition impugns the order dated 7 February 2015 made by the Joint Charity Commissioner, Mumbai. The impugned order merely directs the petitioner, who is the revision-applicant, before the Joint Charity Commissioner, to serve notice to opponent Nos.6 and 10 immediately.

3] Learned senior counsel for the petitioner, on instructions from the petitioner, submits that the petitioner is prepared to delete opponent Nos.6 and 10 from the array of opponents. This deletion shall be at the risk and consequences of the petitioner.

4] If this be the position, then the petitioner can be permitted to delete opponent Nos.6 and 10 at her own risk. The question of service upon them will accordingly not arise.

5] Accordingly, opponent Nos.6 and 10 in the proceedings before the Joint Charity Commissioner are deleted. Such deletion is at the risk of the petitioner as to the consequences that may arise out of the deletion. The remaining respondents shall be entitled to raise all the contentions with regard to such deletion.

6] In view of the deletion, there is no question of implementation of the impugned order dated 7 February 2015. Accordingly, the impugned order is set aside.

7] With the aforesaid observations, petition is disposed of. There shall be no order as to costs.

(M. S. SONAK, J.)

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