

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9207 OF 2014

Harishchandra Ramchandra Dalvi & Ors. .. Petitioners  
vs.  
Bhaskar Sakharam Dalvi & Ors. .. Respondents

Mr. Prashant Bhavake for Petitioners.  
None for Respondents.

**CORAM : M. S. SONAK, J.**  
**DATE : 23 FEBRUARY, 2015**

**P.C. :-**

1] This petition is directed against the order dated 30 May 2014 made by the Assistant Charity Commissioner in relation to elections took place on 3 May 2010.

2] The impugned order came to be made on an application under Section 41 A of the Bombay Public Trusts Act, 1950, as it was the case of the petitioners that elections were being conducted contrary to the constitution of the trust. In fact the petitioners had applied for a stay upon such elections scheduled for 3 May 2010. The stay was declined and a new committee took charge. The term of the new committee is to expire some time in April 2015.

3] In the aforesaid circumstances, no useful purpose would be served by entertaining this petition, at this stage. However, in so far elections for the further term is concerned, the petitioners shall be at liberty to raise all objections, should such objections persist. Further, if there is occasion for the petitioners to once again approach the Assistant Charity Commissioner, then the Assistant Charity Commissioner should decide such objections in accordance with law, without being influenced by the circumstance that the present writ petition was not entertained. The non entertainment of the present petition is basically for the reason that the term of the managing committee is due to come to an end in April 2015 or thereabouts. This Court has not examined the merits of the matter.

4] With the aforesaid observations, the present petition is disposed of.

**(M. S. SONAK, J.)**