IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12860 OF 2015

Rajshekhar S. Kapse and Anr.] … Petitioners
Versus
Shankar S. Hirtot and Anr.] … Respondents

Mr. P. B. Kulkarni for Petitioners.
Mrs. M. S. Bane, 'B' Panel Counsel for Respondent No.2.

CORAM :- M. S. SONAK, J.
DATE :- DECEMBER 23, 2015

P. C. :-

1. **Not on board. Upon production, taken on board**.

2. There is no reason to interfere with the impugned report. On the basis of the impugned report, the authorities under the Maharashtra Public Trusts Act, 1950 ('said Act'), are yet to take a final decision. As against such final decision, the petitioner has alternate statutory remedy available under the said Act. Therefore, there is no necessity to entertain the present petition.

3. If, however, the final decision is against the petitioner and the petitioner chooses to avail substantive alternate remedy available under the said Act, the petitioner shall be entitled to challenge the impugned report in such substantive proceedings.

4. With this liberty, this petition is dismissed. There shall be no order as to costs.

(M. S. SONAK, J.)