

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3033 OF 2015

Marotrao Laxmanrao Nagose & Ors.

-vs-

Shadab Khan Rahaman Khan & Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri S. S. Ghate, Advocate for petitioners.

Shri B. G. Kulkarni, Advocate for respondent Nos.1 to 7.

Shri D. B. Abhyankar, Advocate for respondent Nos.8 to 16.

CORAM : A.S.CHANDURKAR, J.

DATE : JUNE 24, 2015

Rule. Heard finally with consent of parties.

The petitioners are aggrieved by the rejection of their application for grant of stay by the Appellate Court dated 30/04/2015. During pendency of the present writ petition on 29/05/2015, following order came to be passed :

“ Shri Gharote, learned counsel appearing on behalf of the respondent Nos.1 to 7, on instructions, states that directions issued by Assistant Charity Commissioner, Nagpur on 10/04/2015 shall be kept in abeyance till 12/06/2015. ”

The learned counsel for the parties herein, on instructions, state that instead of examining the merits at this interlocutory stage, the interests of justice would be served if R.C.A. No.8 of 2015 itself is decided on

merits by continuing the interim directions issued by this Court.

Hence the following order is passed.

(i) R.C.A. No.8 of 2015 is directed to be decided by the Appellate Court by the end of October 2015.

(ii) During pendency of said proceedings, the interim directions issued on 29/05/2015 shall continue to operate.

(iii) It is clarified that these interim directions shall operate without prejudice to the rights and contentions of either of the parties and the proceedings shall be decided on their own merits without being influenced by said directions.

(iv) In case the said application is dismissed, the respondents are at liberty to file Change Report in accordance with law.

(v) Rule is made absolute in aforesaid terms. No order as to costs.

JUDGE