

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7665 OF 2016

Kalpavruksha Charitable Trust ... Petitioner
Versus
Shri Mahaveer Jangonda Patil And Others ... Respondents

Mr. Tejpal S. Ingale for the Petitioner.
Mr. Anilkumar Patil for Respondent Nos.1 and 2.
Mr. S.D. Rayrikar, AGP for Respondent No.4-State.

CORAM : K.K. TATED, J.

DATE : 6 SEPTEMBER, 2016

P.C. :

. Not on board. At the request of learned Counsel for the Petitioner, the matter is taken on board for urgent orders.

2 Heard Mr. S.D. Rayrikar, learned AGP for Respondent No.4-State
and Mr. Anilkumar Patil for Respondent Nos.1 and 2.

3 By this Petition under Article 227 of the Constitution of India, Petitioner is challenging an order dated 16 June 2016 passed by the Ld. Joint Charity Commissioner, Kolhapur Region, Kolhapur below Exhibit 30 in Appeal No.26 of 2013, rejecting the Petitioner's application for exhibiting some of the documents as per the provisions of Section 65 of the Indian Evidence Act.

4 Learned Counsel for the Petitioner submits that the next date in the Appeal No.26 of 2013 is tomorrow i.e. 7 September 2016. He submits if the matter is decided on its own merits without exhibiting the documents, then nothing will survive in the present Petition.

5 Considering the submissions made by learned Counsel for the Petitioner and the impugned order dated 16 June 2016 passed by the Ld. Joint Charity Commissioner, Kolhapur, below Exhibit 30 in Appeal No.26 of 2013, the following order is passed.

: O r d e r :

- i) Office is directed to place the Writ Petition on board under the caption 'For Admission' on 30 September 2016;
- ii) Till the next date, further proceedings in Appeal No.26 of 2013, pending before the Ld. Joint Charity Commissioner, Kolhapur Region, Kolhapur, is stayed.

(K.K. TATED, J.)