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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 7174 OF 2014

Deepak Ratilal Mehta & Anr. ... Petitioners
Vs.
Maharashtra Girls Education
Society & Ors. ... Respondents

None for the Petitioners.

Mr. Chetan Kapadia i/b Haresh Mehta & Co., for Respondent No. 1.

CORAM : V. M. KANADE, &
M. S. KARNIK, JJ.

DATE : MARCH 21, 2016

PC.

1. None appears on behalf of the Petitioners. By this petition, which is filed under Article 226 of the Constitution of India, Petitioners are seeking following reliefs:

“(a) The Hon'ble Court will be pleased to issue a writ of certiorari or a writ in the nature of mandamus or any other appropriate writ, order or direction and after examining the legality and validity of the actions of the Respondent No. 19 by not taking up the stay application filed by the Petitioners, direct

the Respondent No. 19 to decide the Appeal filed before Hon'ble Divisional Commissioner, Pune Region within the period of one month;

- (b) Pending the hearing and final disposal of the Petition, this Hon'ble Court be pleased to appoint the Court Receiver in respect of the day to day activities of the Managing Committee and submit its report related to financial transactions to this Hon'ble Court;
- (c) Pending the hearing and final disposal of the Petition, the present managing committee be prevented from utilizing the funds without the instructions of the Court receiver be stayed;
- (d) Interim and ad interim relief in terms of prayer (b) and (c) be granted.
- (e) For such further and other orders as this Hon'ble Court may deem fit in the facts and circumstances of the present case.
- (f) Cost of this Petition be provided for.”

2. In our view, petition appears to have become infructuous since the Petitioners are seeking a direction, directing Respondent No. 19 to decide the appeal, which must have been disposed of by this time. However, if it is not disposed of, we direct Respondent No. 19

to decide the appeal on merits and in accordance with law, expeditiously. Writ petition is accordingly disposed of in the aforesaid terms.

Sd/-
[M. S. KARNIK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath