

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2726 OF 2016
in
FIRST APPEAL NO.14 OF 2011

K.Sivasankarand & ors ...	.. Applicants
T.R.Kutty & ors	Appellants
vs	
The Charity Commissioner & ors	.. Respondents

Mr.M.J.Bhatt for Applicants
Mr.R.S.Apte Sr.Advocate a/w Mr.Saurabh Oka
for original appellant nos.1 to 3
Mr.Yogesh Dabke AGP for State

CORAM: G.S.KULKARNI, J
DATE: 30 NOVEMBER 2016

P.C.

Not on Board. Taken on Board on a precipae as moved
on behalf of the Applicants.

2. Heard learned counsel for the applicants (Original Respondent nos 24 to 29, 31 and 32), Mr.R.S.Apte learned Senior counsel for the original appellant nos.1 to 3 and learned AGP for respondent no.1-Charity Commissioner.

3. Mr.Apte Learned senior counsel for the appellants state that the appellants have no objection if prayer clause (a) of the application is granted. Prayer clause (a) reads thus:

“(a) this Hon'ble Court may kindly be pleased to pass a suitable order directing the appointment of an Administrator to

conduct the Elections of the said Shree Ayyappa Temple Trust and to ensure proper auditing of accounts of the same.”

4. In view of the above consent of the appellants, Civil Application would be required to be allowed in terms of prayer clause (a).

5. However, as regards the remaining prayer clauses (b) (c) and (d) of this application, learned counsel for the applicant states that the applicants would not press these prayers at this stage and seeks liberty to make such prayers in a fresh application as and when necessary. Civil Application is accordingly disposed of in the aforesaid terms with liberty as prayed for.

Parties to act on an authenticated copy of the order.

6. All contentions of the parties on merits of the matter are kept open. Needless to observe that the elections would be held in accordance with law.

{G.S.KULKARNI, J}

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Rng

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