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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

PUBLIC INTEREST LITIGATION No. 133 OF 2016

Surinder Mohan Arora

...Petitioner

Vs.

State of Maharashtra and Ors.

...Respondents

Mr. Satish Talekar a/w. Vinod Sangvikar for Petitioner

Mr. Rohit Deo, Acting AG a/w. A.B. Vagyani- GP a/w. V.B. Thadani – AGP for the State

Mr. Ramesh Soni a/w. Abhay Ghadiwal a/w. Devashish Jagirdar a/w. Pratiksha Kabre i/b. Junnarkar & Associates for Respondent Nos. 6,8,13 and 14

Mr. Pramod Patil for Respondent No.12

***CORAM : V. M. KANADE &
M.S. SONAK, JJ.***

DATE : AUGUST 3, 2016

P.C. :

1. The Petitioner has filed the present PIL, challenging the decision of the State Government for appointment of the trustees of the Shri Sai Baba Sansthan Trust (Shirdi).

2. A preliminary objection is raised by the learned counsel for the Respondents regarding maintainability of the PIL filed before the Mumbai Bench. It is submitted that a substantive petition is pending before the Aurangabad Bench. It is submitted that similar petition was filed at Aurangabad Bench of Mumbai

High Court. It is further submitted that this Court cannot entertain this present PIL since jurisdiction to hear the matter is at Aurangabad Bench.

3. On the other hand, the learned counsel appearing on behalf of the Petitioner submits that since the orders have been passed by the Mantralaya, which is situated in Mumbai and part of the cognizance has arisen in Mumbai, therefore, this Court has jurisdiction to hear and decide the PIL. He also submits that he would like to rely on the several judgments in respect of the subject matter.

4. The law on this point is quite well settled and since the petitions are pending before the Aurangabad Bench, we are of the view that without going through the said judgments, it would be appropriate if the petition is heard by the Aurangabad Bench. Hence, we direct the office to transfer the PIL before the Aurangabad Bench by hand. All contentions of both the parties are kept open.

M.S. SONAK, J.

V.M. KANADE, J.