

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4175 OF 2016

Tilak Maharashtra Vidyapeeth and another .. Petitioners

Versus

The Joint Charity Commissioner,

Pune Region, Pune and others .. Respondents

Ms. Neha Bhide, for the Petitioners.

Mr. S. D. Rayrikar, AGP for the Respondent No.1.

CORAM : R.M. SAVANT, J.

DATE : 27th APRIL 2016

PC.

1. The order dated 30.06.2015 passed by the Learned Joint Charity Commissioner, Pune Region, Pune allowing the Misc. Application No.10 of 2015 filed by the Respondent Nos.2 and 3 herein for being granted leave to Appeal against the order dated 10.12.2014 passed in Change Report No.990 of 2012 came to be granted. However, the issue of the locus-standi of the Appellants to file an Appeal is kept open for being urged at the hearing of the Appeal, in view of the fact that the Learned Counsel for the Petitioners seeks to reiterate the ground of locus-standi of the Appellants i.e. Respondent Nos.2 and 3 herein to file an Appeal and since the said issue is expressly kept open for being urged in the Appeal,

there is no warrant to interdict in the writ jurisdiction of this Court under Article 227 of the Constitution of India. The Writ Petition is accordingly dismissed.

2. However, if the Appeal is filed needless to state that the same would be dealt with on its own merits and in accordance with law and also expeditiously.

[R.M. SAVANT, J]