

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

**WRIT PETITION NO.10561 OF 2016**

Dakshina Mara Nadar  
Through Chairman A. Ramaraja Nadar  
& Others ..Petitioners  
V/s.  
Jagdish Nadar & Anr. .. Respondents

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Mr.C.P. Deogirikar for the Petitioner.  
Mr.P.J. Thorat for Respondent No.1.

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**CORAM : K.K. TATED, J.**

**DATE : 07<sup>th</sup> SEPTEMBER, 2016.**

**P.C.**

1. Not on board. At the request of learned counsel for the petitioners, matter is taken on board for urgent orders.
2. Heard learned counsel for the parties.
3. By this petition under Article 227 of the Constitution of India petitioners are challenging the judgment dated 28<sup>th</sup> January 2016 passed by the Joint Charity Commissioner-II, Maharashtra State, Mumbai in Revision Application No.593 of 2015 under Section 70-A of the Maharashtra Public Trusts Act, 1950.
4. The learned counsel Mr.P.J. Thorat appearing on behalf of Respondent No.1 raised preliminary objection that under

Section 72-A of the Maharashtra Public Trust Act, 1950 the application is maintainable before City Civil Court at Bombay.

5. At this stage learned counsel for the petitioner seeks permission to withdraw the petition with liberty to file appropriate application. To that effect he has giving in writing on Farad Sheet. The same is taken on record and marked "X" for identification. At his request petition is disposed of as withdrawn.

**(K.K. TATED, J.)**