

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.1280 OF 2016

Mr. Jayantilal Rangraj Semlani	...	Petitioner
Versus		
F.E. Dinsha Charities And Others	...	Respondents

Mr. Ashutosh Kumbhakoni, Senior Advocate i/b Abhay L. Patki for the Petitioner.
Mr. Vishal Kanade a/w Vikrant Makhare a/w Ms. Rutuja Patil i/b Negandhi, Shah & Himayatullah for Respondent Nos. 1 to 7.
Ms. Ketaki Mishra i/b Diamondwala & Co., for Respondent No.8.
Ms. Uma Palsuledesai, AGP for Respondent No.9.

CORAM : S.C.GUPTE, J.

DATE : 5 MAY 2016.

P.C. :

. Heard Learned Counsel for the parties.

2 It is agreed between the parties that the Petition can be disposed of
by this court, without indicating reasons for the order. Accordingly, the
Petition is disposed of in terms of the following order.

: ORDER:

- (i) The Petition is rejected. However, all rights and contentions of the parties on merit are kept open, to be adjudicated before the City Civil Court at Mumbai in the application filed by the Petitioner under Section 72 of the Maharashtra Public Trust Act, 1950.

- (ii) Since there has already been a stay granted by the Charity Commissioner to the impugned order dated 5 April 2016, which was operating till 11 April 2016, and also considering the fact that the Courts are closing for the ensuing Summer Vacation from 7 May 2015, for a limited period, just to give a breathing time to the Petitioner to apply for continuation of the ad-interim relief before the City Civil Court, Mumbai in the pending application, the stay operating till date is extended till 16 June 2016.
- (iii) The City Civil Court at Mumbai shall consider the application, if any, for extension of ad-interim relief on its own merits and in accordance with law, without being in any way influenced by this order.

(S.C.GUPTE, J.)