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

WRIT PETITION (L) No. 2859 OF 2015
AND
CHAMBER SUMMONS (L) No. 436 OF 2015

K. Ramkrishna & Anr. ... Petitioners
Vs.
State of Maharashtra & Ors. ... Respondents
And
Hemant J. Patil & Ors. ... Applicants in CHSL. 436/2015

Mr. Pradeep J. Thorat, for the Petitioners.
Ms. P. H. Kantharia, AGP for Respondent Nos. 1 and 2.
Mr. Uday Warunjikar i/b Siddhesh Pilankar, for Respondent No. 3.
Mr. Surel Shah, for Intervenor in CHSL. 436/2015

CORAM : V. M. KANADE, &
REVATI MOHITE-DERE, JJ.

DATE : JANUARY 6, 2016

PC.

1. We are informed that the Petitioners had filed an application / representation before the Charity Commissioner on 23.9.2015. We direct the Charity Commissioner to treat the said application / representation as an application under Section 41-B of

the Bombay Public Trust Act, 1950 and decide the same expeditiously, on merits and in accordance with law. Intervenors, who have filed Chamber Summons (L) No. 436/2015, be heard in the inquiry. In view of this direction, writ petition does not survive and is accordingly disposed of. However, we clarify that the Petitioners are at liberty to take the recourse of an alternate remedy, available to them, viz. filing a suit.

2. In view of disposal of the writ petition, Chamber Summons (L) No. 436/2015 does not survive and is accordingly disposed of.

Sd/-
[REVATI MOHITE-DERE, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemth