

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2306 OF 2016

(Sunilkumar Bimalchand Jain & another Vs. Ajitnath Jain Swetamber Mandir Trust, Nagpur & others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A. P. Thakare, Advocate for the petitioners.

**CORAM : SMT. VASANTI A. NAIK AND
V. M. DESHPANDE, JJ.**

DATED : 16th APRIL, 2016

By this writ petition the petitioners challenge the judgment of the Deputy Charity Commissioner, Nagpur rejecting the application filed by them for postponing the election that is scheduled on 17/4/2016.

On hearing the learned Counsel for the petitioners and on perusal of the impugned judgment, it appears that there is no scope for interference in the impugned judgment in exercise of the writ jurisdiction. The change reports are pending before the Charity Commissioner since 2009 and merely because there is a dispute in regard to membership since long, the elections that are scheduled on 17/4/2016 cannot be postponed or stayed. In case, the petitioners are aggrieved by the wrongful preparation of the voters list or the wrongful inclusion of members, they are free to file appropriate proceedings after the election is concluded.

The writ petition is disposed of with no order as to costs.

JUDGE

JUDGE