

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 567 OF 2017
IN
FIRST APPEAL NO. 648 OF 2009
AND
CIVIL APPLICATION NO. 566 OF 2017
IN
FIRST APPEAL NO. 649 OF 2009

Shantaram Babi Gurav	...Applicant
<i>Versus</i>	
Mahalaxmi Pavnai Gango & Ors	...Respondent

Mr Shriniwas S Patwardhan, *for the Applicant in both matters.*
Mr Rakesh Pathak, *i/b Khandeparkar & Associates, for Respondents*
Nos. 1 to 11.
Mrs Ashwini Takalkar, *AGP for State, Respondents Nos. 12 & 13.*

CORAM: G.S. PATEL, J
DATED: 20th June 2017

PC:-

1. Heard.

2. The Appeals though admitted were dismissed for default by an order dated 6th January 2017. Mr Patwardhan points out that he

was in some personal difficulty due to the illness of a family member and could not attend the matter when it was called out in the afternoon on that date.

3. The Civil Application is made absolute. First Appeal Nos. 648 of 2009 and 649 of 2009 are both restored to file.

4. It is pointed out that in the meantime the Respondents have taken certain steps in regard to the registration of the Public Charitable Trust in question. It goes without saying that since these First Appeals are restored, and given that they were earlier admitted, any such registration after 6th January 2017 are necessarily subject to further orders of the Court in the First Appeals.

5. The Respondents are not to alter the *status quo* as of today by acting in furtherance of the registration obtained after 6th January 2017 without an order of the Court obtained after at least four weeks' prior written notice to the Advocates for the Appellants.

6. Both the Civil Applications are disposed of in these terms with no order as to costs.

(G. S. PATEL, J)