

WRIT PETITION No. 9809 OF 2017

Vs.
The Assistant Charity Commissioner,
Thane Region, Thane & Ors. ... Respondents

Mr. Rajendra S. Gurav, Manager (Legal Dept) of Abhyudaya Co-Op. Bank Ltd. - Present in the Court.

CORAM : A. A. SAYED, &
MANISH PITALE, JJ.

DATE : OCTOBER 6, 2017

PC :

1. Learned counsel for the Petitioner has drawn our attention to the order passed on 6.9.2017, which reads as under:

“Heard the learned counsel for the Petitioner on the question of admission. Issue notice to the Respondent No.2. The learned AGP waives service on behalf of the Respondent Nos.1 and 3. Steps of service

of notice on Respondent No.2 be taken within a period of two weeks.

2. In view of the fact that in identical situation interim order has been granted by this Court in the Petitioner's case itself on 24.2.2017 in Writ Petition No. 2187 of 2017, we direct the Respondent No.2 Bank to release the payment of the salary of the employees of the Petitioner's Trust and the examination fees, which is payable to the Board as also to the University by cheques. Cheques may be signed by the authorised signatory.

3. Place this Petition with Writ Petition No.2187 of 2017 on 5.10.2017.”

2. We have also been handed over a chart by the learned counsel for the Petitioner. The same is taken on record and marked “X”. Learned counsel for the Petitioner states that the Petitioner is required to pay several outstanding dues. He further states that the Petitioner would be satisfied if it is allowed to pay the electricity, telephone and property tax dues, as appearing at Sr. Nos. 1, 2 and 36 of the said chart, from the account which has been freezed by the Respondent No. 2 - Bank. This limited prayer is not opposed by the learned counsel appearing for Respondent No. 4. We accordingly direct Respondent No. 2 - Bank to release payment in respect of the

aforesaid amounts shown at Sr. Nos. 1, 2 and 36 of the chart, which are as under:

Sr. No.	Bill No.	Bill Date	Party Name	Amount
1		14.09.2017	Reliance Infrastructure Ltd.	540.00
		14.09.2017	Reliance Infrastructure Ltd.	1990.00
		14.09.2017	Reliance Infrastructure Ltd.	13710.00
		14.09.2017	Reliance Infrastructure Ltd.	2290.00
		14.09.2017	Reliance Infrastructure Ltd.	1810.00
2		05.09.2017	M.T.N.L.	1776.00
		05.09.2017	M.T.N.L.	868.00
		07.09.2017	M.T.N.L.	1357.00
36		07.05.2017	Mira Bhayandar Mahanagarpalika	105845
		10.05.2017	Mira Bhayandar Mahanagarpalika	16138

3. We make it clear that Respondent No. 2 - Bank shall also release the amounts in future for payment of dues in respect of electricity, telephone and property-tax, until the decision of the

Charity Commissioner / Assistant Charity Commissioner. In view of order dated 4.4.2017 passed in Writ Petition No. 2187 of 2017, it is expected of the Charity Commissioner / Assistant Charity Commissioner to decide the Application dated 23.1.2017 expeditiously, if the same is not already decided.

4. The writ petition to stand disposed of in the aforesaid terms.

Sd/-
[MANISH PITALE, J.]

Sd/-
[A. A. SAYED, J.]

Vinayak Halemth