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

WRIT PETITION NO.1454 OF 2016

Mr. Amar Dev Yadav and others ..Petitioners
Versus
The Manager
State Bank of India and others ..Respondents

Ms. K. P. Reshma Ravi i/by K. P. Ravi & Co., for the Petitioners.

Ms. Sandhya Nanavare i/by M. Janardhanan for the Respondent No.1.

Mr. K. V. Tembe for the Respondent No.3.

Mr. P. G. Jagdale for the Respondent No.5.

Mr. Dilip Kamath i/by Mr. Amar Bhatt for the intervenor.

CORAM : R. M. SAVANT &
SMT. SADHANA S. JADHAV, JJ
DATE : 21st JUNE, 2017

P.C.

1 The above Writ Petition has been filed for seeking direction against the Respondent Nos.1 to 4 that they be directed to defreeze the accounts of the Yadav Sangh Mumbai and Shree Yogiraj Shrikrishna Vidyalaya in their Banks. It seems that there are disputes between two groups who claim to be in charge of the management of the public trust in question i.e. the Yadav Sangh Mumbai and Shree Yogiraj Shrikrishna Vidyalaya. The said fact is evidenced by the filing of a Criminal Writ

Petition in this Court being No.371 of 2014 which has been filed by one Arvind Yadav and 8 others against the Police as well as the State Bank of India. The affidavits have been filed on behalf of the Respondent Nos.1, 2 and 3 Banks stating that it has not frozen the accounts, but it has put restrictions on the operation of the accounts in as much as the Petitioners are not permitted to operate the accounts. It seems that a Change Report has been filed by the other group i.e. Arvind Yadav, which Change Report proceedings are pending. The entitlement to operate the accounts would be contingent upon the factum of who is in charge of the Petitioner Trust. In the context of the disputes between two groups who claim to be the existing trustees in office of the Trust in question, the action taken by the Respondent Banks of putting restrictions on the operation of the accounts, cannot be faulted with. This Court in its writ jurisdiction obviously cannot act as an umpire between two sets of persons who claim to be the trustees and in charge of the management of the Trust. It would be for the parties to obtain appropriate orders as regards who is in charge of the management of the Trust from the authorities under the Bombay Public Trust Act and then claim its entitlement to operate the accounts. Hence, no relief can be granted in the above Petition. The Writ Petition is accordingly dismissed.

[SMT. SADHANA S. JADHAV, J] **[R.M.SAVANT, J]**