

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO.821 OF 2017**

Garib Vidyarthi Sahayak Mandal Trust  
and others

... Petitioners

v/s

The Assistant Charity Commissioner,  
Maharashtra, Mumbai and others

... Respondents

Mr Sanjay Jain with Mr Mayur Khandeparkar, Mr Ishwar Nankani, Mr Huzefa Khokhawalla and Ms Janaki Garde i/b M/s Nankani and Associates for Petitioners.

Mr S. Karmakar, AGP for Respondent – State.

Mr R.D. Soni with Mr Sujay Gawade, Mr Ajay Sharma i/b M/s Shree and Co. for Respondent Nos.2 to 4.

**CORAM : SHANTANU S. KEMKAR &  
B.P. COLABAWALLA, JJ.**

**DATE : APRIL 21, 2017**  
Prod.Board dtd.20.04.2017  
Sr.No.603.

**P.C.:**

Not on board. Taken on production board.

2. Heard parties through their counsel. Having heard learned counsel for the parties, as agreed to by them, we dispose of the Petition by observing that in case the matter in question which is pending before the Assistant Charity Commissioner is decided against

the present Writ Petitioner, the order passed by the said Assistant Charity Commissioner shall be kept in abeyance and shall not be given effect to for a period of two weeks thereafter enabling the Petitioner to seek appropriate remedy as may be available in accordance with law. While challenging the final order, it will also be open to the Petitioner to challenge the order dated 20<sup>th</sup> February 2017 (Exh.'F' to the Petition).

3. Writ Petition is disposed of accordingly.

**(B.P. COLABAWALLA, J.)**

**(SHANTANU S. KEMKAR, J.)**