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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9398 OF 2017

Nachiket N. Joshi

...Petitioner

V/s.

Bharat S. Mandal & Ors.

...Respondents

Mr.S.M. Oak i/b Mr.Sagar A. Joshi for the Petitioner.

Mr.M.S. Lagu for the Respondent No.1.

Mr.S.D. Rayrikar, A.G.P. for the State – Respondent.

CORAM : R.D. DHANUKA, J.

DATE : 4TH MAY, 2018.

P.C. :-

1. Learned counsel appearing for the petitioner states that his client would withdraw the appeal against the impugned order filed before the Joint Charity Commissioner, Kolhapur. The statement is accepted.

2. Mr.Rayrikar, learned A.G.P. states that the election can be held and completed within eight weeks from today. The statement is accepted. The election of the trust shall be held by the respondent no.1 within a period of eight weeks from today. In view of the statements made by the learned counsel for the petitioner and the learned A.G.P., the impugned order dated 13th April, 2017 passed by

the learned Joint Charity Commissioner in Appeal No.11 of 2017 is set aside. The Care Taker appointed by the learned Joint Charity Commissioner shall hand over charge to the present trustees of the respondent no.1. The present trustees of the respondent no.1 shall manage the respondent no.1 trust till the fresh elections are held within the time prescribed. The trustees however, shall not take any major decisions during this period.

3. Rule is made absolute in aforesaid terms. There shall be no order as to costs.

4. All the parties as well as the learned Care Taker to act on the authenticated copy of this order.

(R.D. DHANUKA, J.)