

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4762 OF 2018

Jivram Namdeo Patil ...Petitioner
vs.
The General Education Institution and Anr. ...Respondents

Ms. Namrata Bobade, for the Petitioner
Mr. Mandar Limaye, for Respondent No. 1.
Mr. S.B. Kalel, AGP for Respondent No. 2-State.

**CORAM : SHANTANU S. KEMKAR &
SARANG V. KOTWAL, JJ.**

DATE : SEPTEMBER 24, 2018

P.C.:

- . Parties through their counsel.
2. Challenging the order dated 23rd February, 2018 passed by the Assistant Charity Commissioner, Worli, Mumbai by which the Petitioner's application dated 13th February, 2018 for stay of election has been rejected, the Petitioner has filed this Petition.
3. According to the Petitioner, his main prayer was ignored by the said authority while rejecting the prayer for stay. The said main prayer was as under:

(a) This Hon'ble Authority may kindly be pleased to
pass a suitable order directing the opponent

institution to follow the by-laws and take necessary steps as required under the same.”

4. Having considered the submissions made by the learned counsel for the parties and having regard to the fact that now the elections are over which can be separately challenged by the Petitioner in accordance with law, we dispose of this Petition by observing that in case the Petitioner challenges the election, the competent authority shall consider all the grounds as may be raised in that matter including the prayer as extracted above.

5. With the aforesaid liberty, the Petition is disposed of.

6. All contentions of the parties are kept open.

(SARANG V. KOTWAL, J.)

(SHANTANU S. KEMKAR, J.)