

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST.) NO.13747 OF 2018

Jayant D. Sanghvi	..	Petitioner
Vs.		
State of Maharashtra & Ors.	..	Respondents

Mr.Y.S. Jahagirdar, Senior Advocate a/w Mr.P.J. Thorat, Senior Advocate
i/by Mr.S.P.Chavan for the petitioner.

Mr.S.D. Rayrikar, AGP for the respondent no.1-State.

Mr.P.K. Dhakephalkar, Senior Advocate and Ms.Manorama Mohanty
i/by M/s.S.K. Srivastav & Co. for the respondent nos.2 and 3.

CORAM : R.D. DHANUKA, J.

DATE : 2nd May 2018

P.C.:

. Papers are allowed to be produced at 3.00 p.m.

2. Learned senior counsel appearing for the parties jointly state that the learned Assistant Charity Commissioner-9, Mumbai has placed the application under Section 41A on board tomorrow.

3. A perusal of the order dated 27th April 2018 passed by the learned Assistant Charity Commissioner-9, Mumbai indicates that the learned Assistant Charity Commissioner has simplicitor directed that the application for stay be put up on regular board. Since the election is proposed to be held by the respondents on 6th May 2018 at 5.00 p.m., the learned Assistant Charity Commissioner-9, Mumbai is directed to hear the application filed by the petitioner for stay annexed at Exhibit-F to the petition tomorrow.

4. The learned Assistant Charity Commissioner-9, Mumbai shall pass an order on the application for stay after hearing both the parties and in accordance with law and shall communicate the order to the parties on or before 4th May 2018 by 5.00 p.m. It is made clear that the learned Assistant Charity Commissioner-9, Mumbai or any other officer who is in-charge to hear this application shall decide the matter without being influenced by the impugned order dated 27th April 2018. The writ petition is disposed of in aforesaid terms. No order as to costs. Parties as well as the authority to act on the authenticated copy of this order.

R.D. DHANUKA, J.