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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO.17168 OF 2017
IN
WRIT PETITION (STAMP) NO.13156 OF 2017

Abu Saleh Ansari & Ors.	...Petitioners
V/s.	
Shakil Shaikh & Anr.	...Respondents
And	
Mohammad M. Gohar	...Intervenor

Mr.Mohammad M. Gohar – Intervenor / Applicant in person.

Mr.Swaraj S. Jadhav for the Respondent No.1 / Original Petitioner.

Ms.Geeta P. Sonawane for the State – Respondent.

WITH
CIVIL APPLICATION NO.2844 OF 2017
IN
WRIT PETITION (STAMP) NO.13156 OF 2017

Abu Saleh Ansari & Ors.	...Petitioners
V/s.	
Shakil Shaikh & Anr.	...Respondents
And	
Hussein U. Merchant	...Intervenor

Mr.Hussein U. Merchant – Intervenor / Applicant in person.

Mr.Swaraj S. Jadhav for the Respondent / Original Petitioner.

Mr.Jamshed Ansari for the Respondent No.1.

Ms.Geeta P. Sonawane for the State – Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 23RD JANUARY, 2018.

P.C. :-

1. Both these civil applications are filed seeking intervention in Writ Petition (Stamp) No.13156 of 2017.
2. It is not in dispute that in the writ petition filed by the original petitioner, the petitioner has impugned the order passed by the Joint Charity Commissioner – II, on 26th October, 2016 allowing the application filed by the respondent no.1 to the writ petition, challenging the maintainability of the application filed by the petitioner under section 41-D of the Maharashtra Public Trusts Act. The respondent no.1 is seriously opposing the writ petition on its own merits.
3. Insofar as the applicants in the civil applications are concerned, none of the applicants were the parties before the learned Joint Charity Commissioner, Maharashtra State, Mumbai. In my view, none of the applicants are thus necessary or proper parties to the writ petition filed by the petitioner which is challenging the order of the Joint Charity Commissioner – II, rejecting the application under section section 41-D on the ground of maintainability.
4. Both the civil applications are dismissed. No order as to costs.

5. Place the writ petition on board for admission on 7th March, 2018.

(R.D. DHANUKA, J.)