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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 7945 OF 2018

Kishor K. Mehta & Anr. ... Petitioners  
Vs.  
Rekha H. Sheth & Ors. ... Respondents

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Mrs. Jubin Begham Kamdin a/w Rakesh Vyas, Bhupesh, Yash Mehta i/b Thakore Jariwala & Associates, for the Petitioners.

Mr. Prateek Seksaria a/w Mr. Dharendra Sinha i/b Vidhi Partners, for the Respondent No. 5.

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CORAM : R. M. BORDE &  
V. M. DESHPANDE, JJ.

DATE : JULY 25, 2018

PC :-

1. The Petitioners had earlier filed a petition, viz. Writ Petition No. 143 of 2018 in this Court, which was permitted to be withdrawn by the Division Bench of this Court by an order dated 13<sup>th</sup> June, 2018, with liberty to the Petitioner. It is recorded in paragraph 3 of the said order that liberty is granted in view of the order dated 12<sup>th</sup> January, 2017 passed by the Jt. Charity Commissioner-1 on Exhibit 5 in Application No. 287 of 2016 filed under Section 41 E of the Maharashtra Public Trust

Act, 1950. It is further directed that the competent authority shall take into consideration the urgency and pendency of various matters before it and shall take appropriate decision on the application for urgent hearing.

2. The Petitioner has again approached this Court with a request to direct the concerned authority to take up the matter at the earliest since last one and half year no orders have been passed. It is not within our contemplation to assess pendency of the matters before the concerned authority. The concerned authority has to take appropriate decision considering urgency of instant matters and pendency of the matters before it. It would be open for the concerned authority to take an appropriate decision. In exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for. Writ petition is therefore, dismissed. No costs.

[V. M. DESHPANDE, J.]

[R. M. BORDE, J.]

Vinayak Halemth