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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2130 OF 2018
IN
WRIT PETITION NO.6765 OF 2018

Sinhgad Technical Education
Society Through its President
and Others

..Applicants

In the matter between

Mrs. Suman Sachin Jain
and Others

.... Petitioners.

V/s

The State of Maharashtra and Ors.

..... Respondents.

Mr. V. P. Sawant I/by Mr. N. S. Dhumal, Advocate for the Applicants
in CAW No.2130 of 2018.

Mr. S. B. Kalel, AGP for Respondent Nos.1 & 2.

Mr. Rajendra Anbhule, Advocate for Respondent No.5.

Mr. Abhijeet Joshi, Advocate for Respondent No.3.

CORAM: B. R. GAVAI &
A. M. DHAVALA, JJ.

DATE: 1st OCTOBER, 2018

P.C.:-

1] Applicants in this Civil Application are seeking the following relief :-

“a) that pending the hearing and final disposal of Writ Petition No.6765 of 2018, this Hon'ble Court may be pleased to restrain Jt. Charity Commissioner, Pune and Vice Chancellor, Savitribai Phule Pune from taking any coercive / adverse action against the applicant Society and its Educational Institutions.”

2] In effect, the Applicants seek direction from this Court to the Respondents/Authorities not to take recourse to the powers available to them under the relevant Statute. Such a relief cannot be granted by this Court while exercising its writ jurisdiction under Article 226 of the Constitution of India.

3] Civil Application is therefore rejected. Needless to state that rejection of the Civil Application will not come in the way of the Applicants taking recourse to such remedy, if available in law.

(A. M. DHAVAL, J.)

(B. R. GAVAI, J.)