

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL No. 476 OF 2019

Shri Kshetrapal Pratishthan
through Its Trustees
Shri Amrit Omkarmal Bhandari and Ors. ...Appellants
Vs.
Subhash Hastimal Lodha Charitable Trust
through its Trustees
Subhash Hastimal Lodha ...Respondent

Mr. S.R. Nargolkar i/b. Ms. Ketan Joshi for Appellants
Mr. V.A. Sugdare for Respondent Nos.1 and 2

CORAM: K.K. TATED, J.

DATE : MAY 2, 2019

P.C. :

1. Not on Board. At the request of learned counsel for the Appellants, matter is taken on board.
2. Heard learned counsel for the parties.
3. By this First Appeal, the Appellants are challenging the judgment and decree dated 29th January, 2019 passed by the Joint Charity Commissioner, Pune in Application No. 43 of 2016 under section 41E of the Maharashtra Public trust Act, 1950.
4. Learned counsel for the Appellants submits that they are mainly aggrieved by the observations made by the Learned Joint Charity Commissioner in paragraphs 19, 28 and 30 of the impugned judgment.
5. Considering the submissions made by the learned counsel for the Appellants and perusing the impugned judgment and decree dated 29th January, 2019, I am satisfied that the Appellant has made out a case

for following order:

ORDER

- (A) Admit.
- (B) Printing dispensed with.
- (C) The Registry is directed to call for R and P immediately.
- (D) Appellant to file private paper book within one year from today with copy to other side, failing which First Appeal shall stand dismissed without referring back to the Court.
- (E) Learned counsel Mr. V.A. Sugdare waives service for Respondent Nos. 1 and 2.

(K. K. TATED, J.)