

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10235 OF 2018

Shyam Shroff ... Petitioner

Versus

State of Maharashtra and Ors. ... Respondents

Mr.Vaibhav Krishna for Juris Consultis for the Petitioner.

Mr.N.C. Walimbe, AGP for the respondent State.

Mr. Mohd.Tahir I/by Manoj Agre for respondent no. 3.

**CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : FEBRUARY 27, 2019

P.C.:

Heard counsel for the petitioner. He submits that the application under section 18 and 19 of the Maharashtra Public Trust Act, 1950 for registration of association as public trust is pending since August, 2015 without any effective order. Respondent no.3 before this court is the applicant in the said matter and he has no objection if the proceedings are expedited.

2. Learned AGP submits that the enquiries have been made and representations have been called for. According to him, there are certain objections to registration of association as public trust.

3. Counsel for the petitioner argues that in the dispute between respondent no. 3 and his group at one hand and opposition group at the other hand, the land allotted by the Government may be lost. He submits that in order to have transparency, the Public Trust Authority must pass suitable orders at the earliest.

4. During the hearing, we find that the rival group who is opposing registration as public trust, is not joined as party respondent before us. However, as the prayer is innocuous, we permit the petitioner to make express application pointing out this fact and for requesting the time bound decision in the matter. If such application is moved within two weeks from today, the Assistant Charity commissioner, Mumbai shall take decision upon it within next four weeks. With the liberty to the petitioner to approach again if his grievance is not redressed, by keeping all contentions open, we dispose of the present writ petition.

(REVATI MOHITE DERE, J.)

(B.P. DHARMADHIKARI, J.)