

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH NAGPUR

WRIT PETITION NO.1121/2019

Smt. Kusumtai W/o. Baburao Zade & Oth. ..VS.. Shri. Vijay S/o. Dattatraya Vaidya & Oth.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S. P. Bhandarkar, Advocate for the petitioners
Shri S. P. Deshpande, AGP for the respondent Nos. 2 & 3
Shri S.D.Abhyankar, Advocate for the petitioner in WP No.1033/19

CORAM : Z.A.HAQ, J.

DATED : 03/09/2019

CIVIL APPLICATION NO. 2328/2019

Shri S. P. Deshpande, Additional Government Pleader for the respondent Nos. 2 and 3 has pointed out that there are only three respondents in this petition and the respondent No.1 is reported to be dead, however, by this application the petitioners are seeking restraint order against the respondent Nos.1 to 5.

2] Realizing the mistake, learned Advocate for the petitioner on instructions seeks permission to withdraw the application with liberty to file fresh application.

Civil application is **disposed** accordingly, with liberty as prayed for.

WRIT PETITION NO. 1121/2019

Though the respondent No.1 in this petition i.e. reporting trustee is dead, connected Writ Petition

No.1033/2019 is filed by four persons, who claim that they are elected as Trustees as per the change, which was reported by the deceased reporting trustee.

3] According to the petitioner in Writ Petition No. 1121/2019 the persons who claim to have been elected are acting illegally and to the detriment of the public trust by issuing various orders including appointment and transfer orders of the employees.

4] Considering the nature of controversy, by interim order it is directed that the persons who claim to have been elected in the meeting held on 14th June 2013 may continue as trustees, however, they shall not take any decision in the matter of appointments of the employees in the Institutions administered by the public trust and regarding transfer of the employees, until further orders.

List Writ Petition No. 808/2019, Writ Petition No.1122/2019 and Writ Petition No.1033/2019 alongwith Writ Petition No.1121/2019 on **9th September 2019.**

(Z.A.HAQ, J.)