

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAW) NO. 897 OF 2021

IN

WRIT PETITION NO. 4233 OF 2018

(MANZOOR GULAB AHMED & OTH...VS..STATE OF MAH. & OTH.)

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

Court's or Judge's orders

Shri R.L.Khapre, Sr. Adv. a/b. Shri A.S. Shukla, Advocate for Petitioners.
Shri Neeraj Patil, A.G.P. for Respondent Nos. 1, 3 & 6.
Shri N.P. Lambat, Advocate for Respondent No. 2.
Shri B.G. Kulkarni, Advocate for Respondent Nos. 5, 7, 8 & 9

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : JULY 19, 2021.

1. Hearing is conducted through Video Conferencing and all the learned Advocates agreed that the audio and video quality was proper.

2. Heard.

3. A limited prayer has been made in this application. The prayer is for issuing directions to the Assistant Charity Commissioner, Yavatmal to decide Application No. 168 of 2020 filed by respondent No. 5- Management on 15/09/2020 under Section 36 of the Maharashtra Public Trusts Act, 1950. The application seeks permission of the Assistant Charity Commissioner for disposal of the land owned by the Trust, in the interest of justice.

4. Such a limited prayer can be granted by this Court, as any early decision of the application, one way or the

other, would only help to the parties in this petition to advance their arguments more effectively.

5. Accordingly, we **allow** the application. We direct the Assistant Charity Commissioner, Yavatmal to decide Application No.168 of 2020, on its own merits and in accordance with law, within six weeks from the date of receipt of this order.

6. The Civil Application stands **disposed of** accordingly.

WRIT PETITION NO. 4233/2018.

The Court Commissioner/ Superintendent of the District Judge-1 is directed to submit his final report within a period of two weeks from the date of the order. No further time shall be granted by this Court. If it is seen that there is non-compliance on the part of the Court Commissioner, this Court shall view the matter seriously.

Stand Over after **three weeks**.

(ANIL S.KILOR,J)

(SUNIL B. SHUKRE,J)