

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8492 OF 2022

Kishor K. Mehta & Anr.	...	Petitioners
Versus		
Rekha H. Sheth & Ors.	...	Respondents

Mr. Karl Tamboli a/w. Mr. Malcolm Shinganporia i/b. Dua Associates, Advocate for the Petitioners.

Mr. Dharendra Sinha and Mr. Animesh Singh, Advocates for the Respondent Nos.1,4,5,7 and 8.

**CORAM: S.V. GANGAPURWALA &
MADHAV J. JAMDAR, JJ.**

DATED : AUGUST 22, 2022

P.C.

1. The petitioner is challenging the order passed below Exhibit 21. The present petitioner, it appears that, had filed an application under Section 41E of the Maharashtra Public Trust Act, 1950 for restraining the present respondents from taking any decision in respect of expenditure from the trust funds. It is submitted that hearing of the application under Section 41E of the Maharashtra Public Trust Act, 1950 has been concluded and the same is reserved for the orders today.

2. In view of that, at present, we are not inclined to consider the challenge to the interlocutory order passed below Exhibit 21. The parties may take further steps either to assail or implement the order passed under Section 41E of the Maharashtra Public Trust Act, 1950.

3. In case the order is passed against the petitioner, the petitioner will have every opportunity to challenge the order passed under Section 41E of the Maharashtra Public Trust Act, 1950 including the interlocutory orders passed. In that event, all contentions are kept open.

4. With the aforesaid observations, the writ petition is disposed of. No costs.

(MADHAV J. JAMDAR, J.)

(S.V. GANGAPURWALA, J.)

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