

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

Writ Petition No.4406/2022

Sudhir Annaji Durugkar V Shiraj Gimi and one

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Mr. Rupnarayan, Advocate h/f Mr. A.A. Sonak, Advocate for petitioner.
 Mr. N.R. Rode, AGP for resp.no.2.

CORAM : AVINASH G. GHAROTE, J.

DATE : 03-08-2022

Heard Mr. Rupnarayan, learned Counsel for the petitioner.

2. The petitioner challenges the order dated 10-03-2016, passed by the learned Joint Charity Commissioner, Nagpur, in which he has granted 10 weeks time to the objector to get the suit decided and further directed that, failing which the matter will be proceeded according to law.

3. A statement is made by Mr. Rupnarayan, learned Counsel for the petitioner that R.C.S. No. 980/2015, filed for declaration, injunction and specific performance of contract, is still pending. It is not expected from the learned Joint Charity Commissioner, Nagpur, to wait indefinitely for the decision of the Civil Court, so as to defer the decision of an application under Section 36 of the Bombay Public Trusts Act, 1950, filed before

him.

4. Already substantial time has elapsed, in spite of which the petitioner has not taken any steps to get the suit decided.

5. In view of above, I find there is no infirmity in the order impugned passed by respondent no.2. The petition is dismissed.

3.

(Avinash G. Gharote, J.)