

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

925 WRIT PETITION NO.4439 OF 2019

MAHANT TUKOJIBUWA GURU BAJAJIBUWA
VERSUS
SHRI TULJABHAVANI TEMPLE TRUST TULJAPUR AND OTHERS

...

Advocate for Petitioner : Mr. Dixit Sushant V.
Advocate for Respondent No.1 : Mr. P. P. Mandlik
Advocate for Respondent No.3 : Mr. V. D. Salunke

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CORAM : ARUN R. PEDNEKER, J.
DATE : 15th February, 2023

PER COURT :

1. By the impugned order dated 26/04/2018, the petitioner was prohibited from entering the temple for a period of five days.
2. The learned Advocate for the petitioner submits that the order passed by the authority is without jurisdiction. However, in view of the fact that the order is already implemented and no meaningful purpose would be served after period of almost five years to adjudication the issue raised in the petition. It is not disputed by the parties that thereafter no such order was ever passed against the petitioner or he was called upon by the Trust any time to answer a charge for creating any disturbances in temple premises. In view of the same, the present petition is not decided on merits.

4. The learned Advocate for the petitioner submits that impugned order should not be treated as an antecedents. Per contra, the learned Advocate for the respondents Trust submits that there is no reason to treat the present proceedings as an antecedents against the petitioner.

5. In view of the same, the present writ petition is disposed of. All legal issues are left open.

(ARUN R. PEDNEKER, J.)

vj gawade/-.