

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 3883 OF 2023
IN
FIRST APPEAL NO. 507 OF 2001**

Maharashtra Girls Education
Society, Pune

... Applicant

IN THE MATTER BETWEEN

Deepak Ratilal Mehta and Ors.

... Appellants

Versus

Maharashtra Girls Education
Society & Ors.

... Respondents

Ms. J.D. Awhad for the Applicant.

Ms. Mrunmayi Khambete i/b Vilas B. Tapkir for Appellants

**CORAM: M.M.SATHAYE J.
DATE : 16th JUNE 2023**

PC. :-

1. Heard learned Counsel for the Applicant/original Respondent
No. 1 in Appeal.

2. This is an application praying for expeditious final hearing of
the Appeal. It is seen from the record that the Appeal is of the year
2001, which is admitted on 08/08/2001. The order which is
impugned in the First Appeal shows that framing of new Scheme and
appointing of First trustees in respect of Respondent No. 1-Trust

under Order dated 29/03/2001 was set aside. Learned Counsel for the Applicant submitted that pendency of the Appeal is resulting into hardship to the Trust in the peculiar facts and circumstances of the present litigation and urges that Appeal be taken up for hearing so as to reach finally.

3. Obviously the Appeal has been pending for last 22 years waiting for decision on merits. Having considered the submissions and after going through record, in the opinion of this Court, Appeal needs to be taken up for final hearing expeditiously.

4. Therefore, Application is allowed in terms of prayer clause (a). Office is directed to place the matter for final hearing as per its year wise turn as soon as possible.

5. Learned Counsel for the Applicant submits that one more Appeal being First Appeal No. 506 of 2021 challenging the same Judgment and Order as in the present First Appeal, is pending, in which Interim Application No. 3882 of 2023 is pending for same relief. Since said First Appeal and Application are not on board,

office is directed to place Interim Application No. 3882 of 2002 for orders on board on 23/06/2023.

[M.M.SATHAYE,J.]