



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

246 WRIT PETITION NO. 4168 OF 2003

SHESHRAO LIMBAJI KADAM
VERSUS
TUKARAM MAROTRAO PATIL

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 08th FEBRUARY, 2024

PER COURT:

1. None present for the parties.
2. The present writ petition arises out the interim order passed in the Miscellaneous Civil Appeal No. 29 of 2003, dated 22.09.2003, wherein an interim order is passed by the Joint Charity Commissioner, as under:-

“

ORDER

- I. The application is allowed.*
- II. The impugned order dtd. 28/08/2003 passed by the Joint Charity Commissioner, Aurangabad, in the application No.7/2001 is hereby stayed till the decision of the present application.*
- III. Inform the concern accordingly.”*

3. The said order is challenged before this court. This court by order dated 21.01.2004, passed the following order:-

“ *Heard.*

Rule.

Interim relief in terms of prayer clause (D). However, the learned District Judge, Hingoli is directed to dispose of Misc. Civil Appeal No.29/2003 within three months from today. Order passed by the Division Bench in W. P. No.5188 of 2003 taken on record and marked “X” for identification.

4. The interim order passed by the Joint Charity Commissioner was stayed by this court order dated 21.01.2004 and further directed the Joint Charity Commissioner to decide Miscellaneous Civil Appeal No.29 of 2003. The proceedings under 29 of 2003 before the Joint Charity Commissioner has possibly concluded by now. In any event, if the proceedings in Miscellaneous Civil Appeal No. 29 of 2003 are not concluded the interim order passed by this court dated 21.01.2004 would continue to operate till the Miscellaneous Civil Appeal No. 29 of 2003 is decided.

5. With the above observations, the writ petition stands disposed of. Rule is discharged.

[ARUN R. PEDNEKER, J.]