

Shabnoor

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5118 OF 2025

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Ramesh Jaising Chavan & Anr. ... Petitioners
V/s.
Shri Dev Kedarnath Alias
Kedarbaji Varadaan Devasthan Sawarde
& Ors. ... Respondents

Mr. Yuvraj Narvankar for petitioners.

CORAM : AMIT BORKAR, J.

DATED : APRIL 21, 2025

P.C.:

1. In view of reported judgment in the case of *Bomi Jal Mistry And Ors. Vs Joint Chairty Commissioner of Mumbai*, 2005 (2) Mh. L. J. 430, the petitioner is permitted to withdraw the writ petition with liberty to adopt statutory remedy as are available particularly under Section 5 of Section 41E of the Maharashtra Public Trusts Act, 1950.

2. Hence, keeping all contentions raised by the petitioners open to be agitated in the statutory proceedings, the writ petition stands disposed of.

3. It is made clear that, the period spent in prosecuting the present petition shall be excluded under Section 14 of the Limitation Act.

(AMIT BORKAR, J.)