



3. The learned Senior Advocate for the petitioners submitted that the respondent no. 2 is seeking substantive relief of removal of petitioners/trustees and there is a chequered history of litigation. Therefore, the petitioners be provided an effective opportunity of hearing.

4. Learned counsel for the respondent no. 2 fairly submitted that the respondent no. 2 is not averse to grant reasonable time to the petitioners to file an affidavit-in-reply. However, the interim application filed by the respondent no. 2 in the main application under Section 47 of the Act, 1950 be heard and decided expeditiously.

5. Having regard to the chequered history of the litigation between the parties and multiple proceedings and the nature of the reliefs sought in the main application, it would be expedient in the interest of justice to grant three weeks' time to the petitioners to file an affidavit-in-reply to the main application and the interim application.

6. The impugned order thus stands quashed and set aside.

7. The petitioners are granted three weeks' time to file an affidavit-in-reply to the main application as well as the interim application.

8. All the issues, including the question of the maintainability of the application, would be open for consideration by the learned Charity Commissioner.

9. If the affidavit-in-reply is filed within a period of three weeks', the learned Charity Commissioner is requested to make an endeavour to hear and decide the interim application as expeditiously as possible.

10. The parties shall not seek adjournment.
11. Petition disposed.

(N.J. JAMADAR, J)