

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 21152 of 2023**

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MOHAMMED VALIBHAI PATEL

Versus

JONT CHARTY COMMISSIONER SURAT

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Appearance:

MR SALIL M THAKORE(5821) for the Petitioner(s) No. 1

for the Respondent(s) No. 2,3,4,5

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 19/12/2023****ORAL ORDER**

Heard Mr. Salil M. Thakore, the learned advocate appearing for the writ-applicant.

The draft amendment dated 19.12.2023 is taken on record and the same is allowed. To be carried out within one week.

Mr. Thakore, the learned advocate submitted that the writ-applicant herein is aggrieved by the impugned order dated 7.9.2022 passed under Section 41-A of the Gujarat Public Trusts Act, 1950 by the learned Joint Charity Commissioner, Surat in Judicial Misc. Application No.11 of 2021 and the conditions while passing the said order. The said order dated 7.9.2022 directs that the election be held within a period of 30 days.

Mr. Thakore, the learned advocate has taken the Court to the communication dated 19.9.2022 by the Election Officer duly appointed to the learned Joint Charity Commissioner wherein certain clarifications are sought with respect to compliance of the directions issued by the learned Charity Commissioner by order dated 7.9.2022. It is submitted that the elections are not held pursuant to the order dated 7.9.2022.

Once the amendment is carried out, Registry is directed to issue notice making it returnable on 30.1.2024.

In the facts of the present case, the order dated 7.9.2022 passed under Section 41-A of the Gujarat Public Trusts Act, 1950 by the learned Joint Charity Commissioner, Surat in Judicial Misc. Application No.11 of 2021 is directed not to be acted upon till next returnable date.

K.K. SAIYED

(VAIBHAVI D. NANAVATI,J)