



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6930 OF 2019

Chandra R. Matta and Others. ...Petitioners.

Versus

The Joint Charity Commissioner,
Mumbai and Others. ...Respondents.

WITH

WRIT PETITION NO. 1831 OF 2023.

Chandra R. Matta and Another. ...Petitioners.

Versus

The Joint Charity Commissioner,
Mumbai and Others. ...Respondents.

Ms. Sonal, Mr. Satish Chettiyar, Mr. Amol Wagh and Ms. Chaitali Bhogle i/by Mr. Sagar Kasar for the Petitioner.

Ms. Savita Prabhune, AGP for Respondent-State.

Mr. Bhushan Deshmukh, Ms. Deepa Pahuja and Mr. Sarobjot Singh i/by J Law and Associates for Respondent Nos. 5 to 9 in WP No. 6930/2019.

Mr. Mihir Desai, Senior Advocate along with Mr. Bhushan Deshmukh for Respondent Nos. 5 to 9, 12 and 13 in WP No. 1831/2013.

Ms. Neeta Karnik, Senior Advocate along with Mr. Dharendra Sinha and Ms. Chaitrika Patki for the Respondent No.2 in WP No. 6930 of 2019.

Mr. Dharendra K. Sinha and Ms. Chaitrika Patki for Respondent No.4 in WP No. 6930 of 2019.

Ms. Neeta Karnik, Senior Advocate along with Mr. Dharendra Sinha and Ms. Chaitrika Patki i/b Mr. Shaikh Nasir Masih for Respondent No.2 in WP No. 1831 of 2023.

Mr. Dharendra K. Sinha and Ms. Chaitrika Patki for Respondent No.4 in WP No. 1831 of 2023.

Mr. Deepak Inder Ahuja, Respondent No.3 in-person.

Coram : Sharmila U. Deshmukh, J.

Date : November 21, 2024.

P. C. :

1. Matters were argued extensively on the preliminary objection



raised as regards the maintainability of petitions. Thereafter upon a query by this Court as to whether the matter can be considered by the Joint Charity Commissioner in a time bound manner with the prevailing status quo to be continued till the final adjudication, learned counsel appearing for the respective parties, on instructions, are agreeable to the same. This suggestion was given by this Court in view of the fact that the orders under challenge in both these petitions arise out of interim orders.

2. Mr. Desai, learned Senior Advocate appearing for the Respondent No. 6 and 9 in Writ Petition No.1831 of 2023 would submit that there is an independent petition being Writ Petition (Original Side) No. 3302 of 2024, pending before this Court which is in respect of an order passed by the Education Inspector. He submits that the said petition will be pursued independently of the order of status quo passed by this Court.

3. In any event, the order of status quo passed by this Court will not bind the Division Bench decision which may be taken on the said Writ Petition.

4. In the light of consensus arrived at between the parties, the Joint Charity Commissioner is requested to decide the Application No. 1186 of 2018 and all interim applications taken out therein, within a period of 3 months from the next date of hearing.

[This is corrected order as per speaking to minutes order dtd. 28-11-2024.]



5. As agreed upon, the status quo which is prevailing as on today pursuant to the interim orders passed by the Joint Charity Commissioner as well as the orders passed by this Court in the present petitions to continue till the final adjudication of Interim Application No. 1186 of 2018.

6. Learned counsel appearing for the respective parties give an assurance to this Court that no unnecessary adjournment will be sought before the Joint Charity Commissioner and they will co-operate for the final adjudication of the Application No. 1186 of 2018.

7. Petitions stand disposed of in above terms.

8. In view of the disposal of Writ Petition, nothing survives for consideration in the pending civil/interim applications except Interim Application No. 12677 of 2024, which is permitted to be withdrawn and the same stand disposed of.

[Sharmila U. Deshmukh, J.]