

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO.2335 OF 2012

Darryl D'Monte and Ors. ... Plaintiffs
versus
Saint Peter's Church and Ors. ... Defendants

**WITH
NOTICE OF MOTION NO.2250 OF 2012**

Mr. Vishal Kanade with Mr. Mukul Taly, Ms. Mallika Taly i/by M/s. S. Mohamedbhai and Co., for Plaintiffs.

Mr. D'Manto i/by Mr. P.M.Havnur, for Defendant No.3.

Mr. Cyrus Ardeshir with ms. Swapnila Rane i/by Ms. Vanita Kakkar, for Defendant No.7.

CORAM: S.J. KATHAWALLA, J.

**DATE: 8th NOVEMBER, 2016
(In chambers)**

P.C.:

1. On 7th November, 2016 this Court passed the following order :

"The office of the Charity Commissioner, Bombay District, Bombay shall produce before this Court on 8th November, 2016 at 11.00 a.m. the entire record pertaining to sale of property of St. Peter's Church Trust i.e. property bearing No. CTS No. B/1106 to 1111 admeasuring about 1,774.25 sq. meters of village Bandra, situated at St. John Baptist Road, Bandra (West), Mumbai - 400 050 and also the record pertaining to the change report.

2. *A copy of this order shall be served on the office of the Charity Commissioner by the Advocate for Defendant No. 7.*

3. *Stand over to 8th November, 2016."*

2. A copy of the order was served on the Office of the Charity Commissioner at 6.00 p.m., on 7th November, 2016. The person who received the copy of the order at the office of the Charity Commissioner informed the Clerk of the Advocate for Defendant No.7 that one Mr. Bhujbal shall be appearing when the matter will be called out today. However, none appear for the Charity Commissioner. The Personal Assistant of this Court was therefore, directed to call up the Office of the Charity Commissioner and inquire as to why the order is not complied with by their Office. One Mr. Pimple informed the Personal Assistant of this Court that the Office of the Government Pleader has been informed to appear in the matter and seek an adjournment. However, no one is present from the Office of the Government Pleader. In view thereof, the Charity Commissioner is directed to produce the relevant records at 3.00 p.m. today. This order shall be intimated by an email to the Office of the Charity Commissioner.

(S.J.KATHAWALLA, J.)