

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil)No. 39 3 3 / 2 0 0 7

(From the judgement and order dated 06/ 0 2 / 2 0 0 7 in RA No. 6/2 0 0 6
in FA
10 6 6 / 2 0 0 5 of The HIGH COURT OF JUDICA TU R E OF BOM B A Y)

BURZO R RUS T O M JO S H I
Petitioner(s)

VE R S U S
ZARI R RUS TO M JOS H I & ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 31/ 0 7 / 2 0 0 7 This Petition was called on for hearing today.

CORAM : HON' B L E MR. JUS T I C E H.K. S E M A
HON' B L E MR. JUS T I C E D.K. JA I N

For Petitioner(s) Mr. Raju Ra mcha ndr a n, Sr. Adv.
Mr. Saur ab h Sinha, Adv.
Mr. Gaur av Agrawal, Adv.
Ms. Tulik a Mukhopadhyay, Adv.

For Respondent(s) Mr. V.N. Ganpule, Sr. Adv.
Mr. Ashok Ku m a r Singh, Adv.
Mr. Naresh Ku m a r Gaur, Adv.
Mr. Surinder Dutt Shar m a, Adv.
Mr. Sapa m Metei, Adv.

For R- 6 Mr. Varun Tha ku r, Adv.
Mr. A.S. Bhas m e, Adv.

UPON hearing counsel the Court made the following
O R D E R

The dispute involved in this petition is, as to who should be the
Chair m a n of the Trust in terms of the Trust Deed of 19 th July 18 6 2 .

After hearing learned counsel on both the sides at some length,
the parties to the dispute have agreed to dispose of this petition by a
consensus order. As agreed by counsel on both the sides, on instructions,
this petition is disposed

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of with a direction to the Charity Commissioner to decide the dispute
afresh after the application of mind independently, uninfluenced by any
observations made by the trial Court and by the two orders passed by the
High Court. We make it clear that the Charity Commissioner shall decide
the dispute alongwith Change Report No.4 0 1 9 / 9 8 dated 25/ 0 8 / 1 9 9 8
filed by the petitioner and Change Report filed on 05/ 0 4 / 2 0 0 7 by Mr.

Minoo Bha kti a r P a nd ay (Respondent No.6). The Charity Commi ssioner shall decide the dispute strictly in terms of the Trust Deed dated 19 th July 18 6 2 .

Till such decision is rendered by the Charity Commissioner, the status quo order passed by this Court on 09/ 0 3 / 2 0 0 7 shall continue. The Charity Commissioner shall decide the dispute as expeditiously as possible preferably within one year.

The special leave petition is disposed of in the above terms.

(Ravi P. Verm a)
Court Master

(Anand Singh)
Court Master