

ITEM NO.19

COURT NO.6

SECTION IX

SUPR EME COUR T OF I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).20192/2009

(From the judgement and order dated 03/08/2009 in SCA No. 5103/2009 of
The HIGH COURT OF GUJARAT AT AHMEDABAD)

PRABODHKUMAR MAGANBHAI PATEL

Petitioner(s)

VERSUS

MODASA KADVA PATIDAR CHHATRALAYA & ORS.

Respondent(s)

(With prayer for interim relief and office report)

WITH SLP(C) NO. 20248 of 2009

SLP(C) NO. 20260 of 2009; SLP(C) NO. 20258 of 2009

SLP(C) NO. 20261 of 2009; SLP(C) NO. 20262 of 2009

SLP(C) NO. 20265 of 2009; SLP(C) NO. 20264 of 2009

SLP(C) NO. 20263 of 2009; SLP(C) NO. 20268 of 2009

SLP(C) NO. 20257 of 2009; SLP(C) NO. 20251 of 2009

(With appln.(s) for exemption from filing c/c of the impugned judgment,
prayer for interim relief and office report)

Date: 28/08/2009 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Aniruddha P. Mayee, Adv.
Mr. Sanjeev Kumar Choudhary, Adv.
Ms. Rucha A. Mayee, Adv.

For Respondent(s) Mr. R.K. Abhichandani, Sr. Adv.
Mr. Vimal Chandra S. Dave, Adv.
Mrs. Lakshmi Abhichandani, Adv.
Mrs. Neelam Kalsi, Adv.

UPON hearing counsel the Court made the following
ORDER

We find no ground to interfere with the impugned order

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passed by the High Court.

The Trust issued a notice calling upon the petitioners to deliver the possession in pursuance to the orders of the Charity Commissioner dated 11.6.2008 directing that the trust should evict the petitioners by initiating legal proceedings in accordance with law. As the Court found that except calling upon the petitioners to vacate and deliver up the possession, there was no material to show that the Trust proposed to forcibly dispossess them, the

application for temporary injunction was dismissed by the trial court and that was affirmed by the appellate court and also by the High Court in the Writ Petition.

Mr. R.K. Abhichandani, learned senior counsel appearing for the Trust submits that the Trust has no intention to dispossess the petitioners otherwise than in accordance with law.

In view of the above, these Special Leave Petitions are dismissed.

(Pardeep Kumar)
Court Master

(M.S. Negi)
Court Master