

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO.16222 OF 2023
IN
FIRST APPEAL NO.943 OF 2024

Chandrashekhar Anant Bhide and another
versus

Applicants

Shri Devdeveshwar Sansthan Parvati
& Kothrud, Pune and another

Respondents

Mr.Chaitanya B.Vikte with Ms.Esha Malik and Mr.Prajit S.Sahane for
Applicants/Appellants.

Mr.Shrikrishna R.Ganbavle for Respondents.

CORAM : AARTI SATHE, J.

DATE : 15th October 2026

P.C.

1. This Interim Application has been filed praying for the following
reliefs:

“a. That till disposal of the captioned Appeal, the Impugned Order dated 05/10/2023 passed by the Joint Charity Commissioner below Application bearing No.19 of 2019 be kindly be stayed;

b. Pending the hearing and final disposal of the present Application, the Impugned Order dated 05/10/2023 passed by the Joint Charity Commissioner below Application bearing No.19 of 2019 be kindly be stayed;

c. Interim and ad-interim reliefs in terms of prayer clause (b) kindly be granted.”

2. Heard learned counsel on behalf of the parties. Learned counsel for the Appellants-Applicants has submitted that a co-ordinate Bench of this Court by order dated 12th October 2023 had passed the following order whereby an interim arrangement was put in place, as the impugned order challenged in the captioned

First Appeal was not available at the time of hearing of the present Interim Application. In the said order this Court as a matter of interim arrangement during the Navratri Festival which had commenced from 15th October 2023 then, had issued the following directions :

“4. As the impugned order is not available, this Court as a matter of interim arrangement, since the Navratri Festival is starting from 15th October, 2023, is hereby issuing directions as follows :-

(i) The trust is allowed to put up a board of size 3 feet by 2 feet inside the temple premises which will indicate that the temple belongs to the trust;

(ii) The trust will also be allowed to put up a donation box of a reasonable size inside the temple premises. Such donation box should not be in close proximity to the donation box already in the temple fixed up by the appellants;

(iii) The trust as of now till the date of hearing, will not be allowed to appoint any person to do Abhishek/Pooja inside the temple premises.”

3. The aforesaid arrangement specifically allowed the trustees to put up a board of the size of 3 feet by 2 feet inside the temple premises and also the trust was allowed to put up donation box. However, by way of the interim arrangement, it was directed that till the date of hearing of the First Appeal, no person should be appointed by the Trust to perform Abhishek/Pooja in the temple.

4. Learned counsel for the Applicants-Appellants submits that from the date of the aforesaid order, the interim arrangement has continued and only two days back, prior to the ongoing Navratri Festival, a request has come from the Trustees that they intend to perform Abhishek/Pooja inside the temple.

5. Learned counsel on behalf of the Respondents-Trustees submits that the interim arrangement would not come in the way of Trustees to perform Abhishek/Pooja in the temple premises.

6. This Court is of the view that from 2023 up until now, there are no change in the facts and circumstances of the case, and the interim arrangement has continued and the same is to continue till the hearing of the First Appeal. On perusal of the impugned order which has been tendered at the bar, this Court is of the view that triable issues have been raised in the First Appeal and the same require to be heard. Considering the reliefs as prayed for in the First Appeal, the impugned order dated 5th October 2023 is stayed till the hearing and final disposal of the First Appeal. In the mean while, it is clarified that the interim arrangement vide order dated 12th October 2023, shall continue to operate till hearing of the First Appeal.

7. The Interim Application is allowed and disposed of in terms of prayer clause (b).

8. The First Appeal be listed for admission on **18th December 2026**.

9. It is clarified that the temple premises would be open to all the Respondents-Trustees and all other devotees for offering prayers, however, the right of performing Abhishek/Pooja would be governed by the interim arrangement, as agreed by the parties and as recorded in the order of a co-ordinate Bench of this Court dated 12th October 2023.

(AARTI SATHE, J.)