

ITEM NO.30

COURT NO.3

SECTION XV

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 6643-6644/2010

(Arising out of impugned final judgment and order dated 28-07-2009 in RP No. 158/2009 19-08-2009 in CRP No. 11/2009 19-08-2009 in CRP No. 158/2009 28-07-2009 in RP No. 158/2009 19-08-2009 in CRP No. 11/2009 19-08-2009 in CRP No. 158/2009 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

**MANDIR SHRI PURNASAR HANUMANJI  
 PUJARI TRUST AND ANR. THROUGH  
 ITS SECRETARY MAHAVIR  
 S/O. SHRI HANUMAN MAL BY CASTE  
 BOTHRAOSWAL AGED 43 YEARS & ANR.**

**Petitioner(s)**

**VERSUS**

**MURTI SHRI PUNRASAR HANUMANJI & ORS.**

**Respondent(s)**

(IA No. 7/2016 - APPLICATION FOR DIRECTIONS (I.A. NOS. 7-8), IA No. 3/2011 - CLARIFICATION/DIRECTION, IA No. 2/2010 - EXEMPTION FROM FILING O.T., IA No. 5/2011 - EXEMPTION FROM FILING O.T., IA No. 8/2016 - EXEMPTION FROM FILING O.T.)

Date : 08-01-2024 These matters were called on for hearing today.

**CORAM :**

**HON'BLE MR. JUSTICE B.R. GAVAI  
 HON'BLE MR. JUSTICE SANDEEP MEHTA**

**For Petitioner(s)**

**Mr. V. Madhukar, Adv.  
 Mr. Mohit D. Ram, Adv.  
 Mr. Bhagirath N. Patel, Adv.  
 Mr. Anubhav Sharma, Adv.  
 Ms. Hemantika Wahi, AOR**

**For Respondent(s)**

**Mr. Irshad Ahmad, AOR**

**Ms. Sadhana Sandhu, AOR  
 Mr. Arjun Sain, Adv.  
 Ms. Shikha Sandhu, Adv.**

**Mr. H.D. Thanvi, Adv.  
 Mr. Sarad Kumar Singhania, AOR  
 Mr. Yash Singhania, Adv.**

Ms. Pratibha Jain, AOR

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

1. Vide order dated 22<sup>nd</sup> February, 2010, this Court had directed the Assistant Commissioner, Devasthan Department to examine the request of the plaintiff in the suit under Section 38 of the Rajasthan Public Trusts Act, 1959 and pass appropriate order(s).
2. It appears that the Assistant Commissioner has passed an order dated 24<sup>th</sup> January, 2011 in pursuant to the said direction(s).
3. We, therefore, find that the present proceeding has become infructuous.
4. In that view of the matter, the special leave petition is disposed of.
5. However, we clarify that the order(s) passed by the Assistant Commissioner shall be subject to further proceedings, if any, as may be permissible in law.
6. We further clarify that if the State desires to take any steps for declaration of the trust as a public trust and pass consequential order(s), the State would be at liberty to do so as expeditiously as possible.
7. Pending application(s), if any, stand disposed of.

(DEEPAK SINGH)  
COURT MASTER (SH)

(ANJU KAPOOR)  
COURT MASTER (NSH)