

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.528 OF 2015

Sushilabai Dattatray Patil and others

Petitioners

Versus

The State of Maharashtra and others

Respondents

Mr. S.P. Brahme advocate for the petitioners

Mrs. A.V. Gondhalekar, AGP for Respondent State

Mr. V.D. Hon Sr. advocate for respondent No.5

Mr. Amol Sawant advocate for respondent Nos. 14, 16 & 17

CORAM : R.M. BORDE &
P.R. BORA, JJ

Dated : 24th February, 2015.

PER COURT :-

1 There are disputes in respect of management of the trust between the petitioners and the respondents. The sad feature is that, the petitioners and respondents are blood relations in the sense, petitioner No.1 is the mother of respondent No.5. This aspect, in our view, shall be looked into by the Director of Education and in the event of noticing any maladministration, the Director shall invoke his jurisdiction.

2 In the instant petition, the order under challenge is referable to a direction issued by the Assistant Charity Commissioner No.1,

Dhule Region, Dhule, on 1.1.2015 authorizing group of respondents to manage the financial affairs of the trust. It is not a matter of dispute that, application for change report is pending consideration before the Assistant Charity Commissioner. In the facts and circumstances of the case, in modification of the directions issued by the Assistant Charity Commissioner, we pass following order:-

- a) The respondent Secretary on record Mr. Manohar Datttray Bhadane and respective Heads of the Educational Institutions i.e. Principal, Head Master of the institutions run by the trust shall be authorized to incur expenditure only for the purpose of payment of salaries of the members of the staff.
- b) It would be open for the respondents to claim expenses for providing nutritious food to the students and the accounts in that regard shall be tendered to the Assistant Charity Commissioner every months.
- c) The aforesaid office bearers shall not incur expenses for any other purpose.
- d) The interim arrangement as referred to above shall remain operative until disposal of the change reports by the Assistant Charity Commissioner.
- e) The Assistant Charity Commissioner is directed to decide the pending change report Nos.322/14,

596/14 and 597/14 as expeditiously as possible and preferably within a period of six months.

f) Interim arrangement shall not clothe the office bearers to claim any entitlement in future proceedings.

g) The office bearers referred to above shall tender a financial statement/accounts to the Assistant Charity Commissioner at the end of every month.

3 In view of above, writ petition stands disposed of.

4 Pending civil applications do not survive and stand disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)

vbd