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| 1. | The State of Maharashtra | | |
| 2. | The Joint Charity Commissioner,
Nashik Region, Nashik | | |
| 3. | Nandkishor s/o Kanhailalji Agrawal
Age 58 years, Occu. Business,
R/o Agra road, Dhule,
Taluka and District Dhule | | |
| 4. | Ajit s/o Devendranath Warma,
Age 45 years, Occu. Service,
R/o Nisarga Upchar Kendra,
Malegaon road, Dhule,
Taluka and Dist. Dhule | | |
| 5. | Mohanlal s/o Shaligram Bhartiya,
Age Major, Occu. Business,
R/o Station road, Dhule,
Taluka and District Dhule | | |
| [6] | Ravindra Savarmal Agrawal
Age major, Occu. Business,
R/o 4 th floor, Madhumeshan,
325, Kalba Devi road, Mumbai | }
}
}
} | Petition is dismissed
qua respondent No.6
as per Court's order
dated 11.2.2013 |
| 7. | Puranmalji Baluramji Agrawal,
Age 82 years, Occu. Business,
R/o Agra road, Dhule
Taluka and District Dhule | | |
| 8. | Shri Dr.Kantilalji Gujarathi,
(deceased) | | |

9. Dr.Devendranathji Varma
(deceased)

10. Radhakishan Zunzunwala
(deceased)

11. Hansraji Omkarji Agrawal
(deceased)

..Respondents

Mr D.S. Bagul, Advocate for petitioners
Mr D.R. Korde, A.G.P. for respondent No.1 and 2
Mr V.P. Latange, Advocate for respondent no.3

CORAM : N.W. SAMBRE, J.

DATE : 28th April 2015

PER COURT

1. Mr Bagul, learned Counsel for the petitioners has questioned the order dated 19th July 2012 passed by the Joint Charity Commissioner, Nashik Region, Nashik whereby the charge for an offence under Section 41-D (1) (d) of the Maharashtra Public Trusts Act is framed against the petitioners.

2. Mr Bagul would urge that the charge framed is against the record, as according to him, the basis for charge is contrary to the judicial verdict delivered by various authorities and Court in favour of the petitioners. He has tried to invite attention of this Court to the fact about dismissal of suit and the entry as regards the property in question in Schedule-I of the Trust.

3. In my opinion, it will be premature for this Court to examine the same, as it is open for the petitioner to bring the same to the notice of the said authority while answering the charge.

4. This Court without going into the merits, dispose of this petition with liberty to the petitioners to raise all his defence before the said authority. The Joint Charity Commissioner, Nashik Region, Nashik is expected of to apply its mind to the material brought on record by the petitioners in his defence.
5. With above observations, writ petition stands disposed of.

(N.W. SAMBRE, J.)

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