

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**WRIT PETITION NO. 9210 OF 2014
WITH
CIVIL APPLICATION NO. 10167 OF 2014**

The Jalgaon Zilla Maratha Vidya
Prasarak Sahakari Samaj Limited .. Petitioner

Versus

The State of Maharashtra and Another .. Respondents

Shri V. D. Hon, Senior Counsel for the Petitioner
Shri S. A. Ambade, Advocate for the Respondents
Shri U. R. Awate h/f Shri S. B. Talekar, Advocate for the
Intervenor

**CORAM : S. V. GANGAPURWALA AND
A. I. S. CHEEMA, JJ.**

DATE : 13TH APRIL, 2015.

PER COURT :

1) Mr. Hon the learned Senior Counsel submits that, limited grievance is made in the present petition i.e. seeking directions against the respondent No. 2 the Assistant Charity Commissioner to decide the Change Report No. 1595 of 2012 expeditiously. Mr. Awate the learned counsel submits that

intervention application bearing No. 10167 of 2014 is filed, pointing out that Administrative Board has been appointed and the Change Report before the Assistant Charity Commissioner under the provisions of Maharashtra Public Trusts Act, 1950 is not maintainable. The false and fabricated documents of elections are prepared. The Administrative Board is appointed by superseding the Managing Committee of the society and the Administrative Board is acting as a Trustee of the said Trust. The property is belonging to the Co-operative Society.

2) We have considered the submissions. In fact, in the present writ petition we are not called upon to decide the merits of the contentions of either parties. A limited grievance is made that is seeking directions as against the Assistant Charity Commissioner to decide the Change Report proceedings bearing No. 1595 of 2012.

3) It is for the Assistant Charity Commissioner to consider all the submissions of the respective parties.

4) In the result we pass the following order -

ORDER

A] The respondent No. 2 Assistant Charity Commissioner shall decide the proceedings bearing Change Report No. 1595 of 2012 on its own merits in accordance with law, after hearing all the parties concerned including the present intervenor .

B] The Assistant Charity Commissioner shall also decide objection of the intervenor.

C] The intervenor is at liberty to file its objection to the said Change Report including its objection about the maintainability of the Change Report proceedings on all the grounds as available to the present intervenor.

D] The Assistant Charity Commissioner shall consider all the grounds put forth by all the parties on its own merits and decide the same expeditiously and preferably within nine (9) months.

5) Writ Petition is accordingly disposed of. No costs.
Civil Application also disposed of.

[A. I. S. CHEEMA, J.]

[S. V. GANGAPURWALA, J.]