

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

WRIT PETITION NO. 10271 OF 2015

Sarvottam Eknathrao Kulkarni and others ...PETITIONERS

versus

Nandkumar Hanumandas Bhutada and ors ...RESPONDENTS

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Mr. V.D. Gunale, Advocate for Petitioners
Mr. B.R. Kedar, Advocate holding for
Mr. S.K. Mathpati, Advocate for respondents No. 1 and 2
Mr. S.S. Dande, A.G.P. for respondents No. 19 and 20

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CORAM : SUNIL P. DESHMUKH, J.

DATED : 13th OCTOBER, 2015

Order :-

1. Present writ petition has been moved against order dated 1st October, 2015 on Exhibit-65 in revision petition no. 7 of 2013 passed by joint charity commissioner, Latur whereunder request of present petitioners to consolidate hearing of revision application No. 7 of 2013 and revision applications No. 15 and 16 of 2015 has been turned down.
2. Briefly stated, the facts are, writ petition No. 10486 of 2014 had been moved before division bench of this court. The division bench under order dated 27th February, 2015 directed Joint Charity Commissioner, Latur to take decision on pending revision application bearing no. 7 of 2013 presented by petitioners therein, as expeditiously as possible, preferably within a period of eight months from the date of

the order. It appears that present petitioners were parties to said writ petition.

3. Subsequent to order dated 27th February, 2015 in writ petition No.10486 of 2014, it appears, two revisions are moved at the instance of present petitioners in respect of change reports No. 202 of 2002 and 163 of 2007. Various contentions have been made on behalf of petitioners referring to illegalities in inclusion of members of the trust and other matters filed at the instance of present petitioners.

4. During pendency of revision application No. 7 of 2013, application Exhibit-65 came to be moved by present petitioners for simultaneous hearing in revision applications No. 7 of 2013 and 15 and 16 of 2015. While deciding application Exhibit-65, the joint charity commissioner has observed that there is no reason given as to why all revisions are to be heard simultaneously and further that revisions have preferred on 08-05-2015, i.e. after the order by the division bench of this court to decide revision application no. 7 of 2013 in eight months.

5. Change reports concerned in revision applications No. 15 and 16 of 2015 are 202 of 2002 and 163 of 2007. Two change reports pertain to the terms which have already been expired. Further, there is direction of division bench of this court to decide revision No. 7 of 2013 within a period of eight months from 27th February, 2015.

6. In the circumstances, the joint charity commissioner has found it difficult to accede to the request under application Exhibit-65 and he has rejected the same. I do not find any irregularity in the approach of the joint charity commissioner.

7. Writ petition, as such, stands dismissed. It is open for the petitioners to make appropriate approach in the event the petitioners succeed in revision applications No. 15 and 16 of 2015, so also if they are aggrieved by decision in revision application no. 7 of 2013.

Sd/-

(SUNIL P. DESHMUKH, J.)

MTK