

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

WRIT PETITION NO. 11796 OF 2014

Ganeshsinh s/o Pratapsinh Saddiwal,
Age: 56 years, Occ: Agri.,
R/o. Rajput Galli, Paranda,
Tq. Paranda Dist. Osmanabad & anr ...Petitioners

versus

The State of Maharashtra,
through its Secretary
Social Justice Department,
Mantralaya, Mumbai & anr ...Respondents

.....
Mr. A.N. Nagargoje, Advocate for petitioners
Mr. A.P. Basarkar, A.G.P. for respondent Nos. 1 and 2
.....

CORAM : N.W. SAMBRE, J.

DATE : 17th NOVEMBER, 2015

ORAL ORDER :

The Assistant Charity Commissioner, Osmanabad, while dealing with the application of the present petitioners, has ordered procedure to be followed under Rule 7A of the Maharashtra Public Trust Rules, which is objected by the petitioners on the ground that the scheme for succession is limited to the extent of successors, who are qualified as per custom and involvement of general public in the matter of succession and framing of scheme, according to them, was uncalled for.

2. Upon perusal of the order passed by the Assistant Charity Commissioner, Osmanabad on 11/11/2014 on the application of the petitioners, it is noticed that learned Assistant Charity Commissioner has ordered compliance of Rule 7A of the Maharashtra Public Trust Rules, which provides maintaining transparency in the claim put forth by the petitioners qua public trust.

3. In my opinion, Assistant Charity Commissioner, while taking recourse to the provisions of Rule 7A of the Maharashtra Public Trust Rules, has not committed illegality, which calls for any interference in extraordinary writ jurisdiction. The writ petition fails, same stands dismissed.

[N.W. SAMBRE, J.]