

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9334 OF 2014

**Prahlad Narayan Choudhary
Secretary, Abhyuday Shikshan Mandal
Kalyan and ors.**

: Petitioners

versus

**The Assistant Charity Commissioner,
Thane Region, Thane and ors.**

: Respondents.

Mr. Vinod N Tayade for the Petitioners.

Ms. M S Bane, "B" Panel Advocate for the State/Respondent No.1.

CORAM : R. M. SAVANT, J.

DATE : 12th June 2015

P.C.

1 The order dated 5/10/2013 and the order dated 22/5/2014 passed by the Assistant Charity Commissioner condoning the delay in filing the Change Report proceedings by the Reporting Trustees is taken exception to by way of the above Writ Petition.

2 The Petitioners claim to have an interest in the Trust and claim to have filed an application for framing of a scheme, and therefore, seek to challenge the orders condoning the delay in filing the Change Report proceedings filed under Section 22 of the Bombay Public Trusts Act, 1950.

3 In so far as the condonation of delay in filing the Change Report proceedings are concerned, the matter is strictly between the Reporting

Trustees and the Charity Commissioner. The Petitioners who have filed an application before the Charity Commissioner obviously cannot have any locus standi in the said matter. In my view, therefore, it is not necessary to entertain the above Petition. The above Petition is accordingly dismissed. However, it would be open for the Petitioners to apply for impleadment in the Change Report proceedings in question and if any such applications are filed, the concerned Assistant Charity Commissioner may consider the same on their own merits and in accordance with law.

[R.M.SAVANT, J]