

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR

Writ Petition No.2010 of 2015

(Chandrabhan Shivaji Isapure and others v. Anna Shriramji Fate and others)

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Office Notes, Memoranda of Coram,  
appearances, Court's orders or directions      Court's or Judge's orders  
and Registrar's order

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Shri Rohit Joshi, Advocate for Petitioners.

**Coram : R.K. Deshpande, J.**

**Dated : 15<sup>th</sup> April, 2015**

In the proceedings under Section 50A of the Bombay Public Trusts Act, 1950 for framing a Scheme, an application under Section 73A of the said Act was filed by the respondents/intervenors alleging that they are the persons interested in the Trust. They have also alleged that they are the members of the Trust. Both these facts are denied by the petitioners in their reply. The learned Assistant Charity Commissioner has allowed the application for intervention and the intervenors are permitted to file their objections, if they so desire.

Shri Joshi, the learned counsel appearing for the petitioners, has relied upon the decision of this Court in the case of *Vasantrao s/o Vishwanathrao Mane and others v. Apparao s/o Baibanna Sidore and others*, reported in 2008(3) *Mh.L.J.* 242, urging that the provisions of Section 50A of the Bombay Public Trusts Act do not contemplate hearing to the beneficiaries of the Trust. It was not a case where an application under Section 73A of the said Act was considered by this Court. In the present case, it is an application under Section 73A of the said Act, which has been allowed on the ground that the intervenors have interest in the Trust.

No interference is called for in the order impugned in this petition.

The petition is dismissed.

Judge.

Lanjewar