

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

Writ Petition No.3281 of 2015

Rajkumar Laddharam Notani Vs. The Election Officer, Gondia and another

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	<u>Court's or Judge's Orders.</u>
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Shri S.D. Abhyankar, Advocate for petitioner.

**CORAM : B.R. Gavai &
Indira K.Jain, JJ.**
DATE : 15th June, 2015.

Heard.

The petitioner has approached this Court being aggrieved by the order passed by the Assistant Charity Commissioner whereby enrolling 131 members. It is the contention of the petitioner that in pursuance of the orders passed by the learned Single Judge of this Court in Second Appeal No.425/2012 along with companion appeal, when 131 members were already short-listed, the respondent Assistant Charity Commissioner would not have considered 308 applications.

The contention is devoid of substance. The learned Single Judge has directed that out of eligible persons 131 members should be enrolled as members in addition to 19 already exist. The learned Single Judge further held that in view of any dispute with regard to particular members, the majority of amongst 19 members shall prevail.

Undisputedly, out of the 19 members, the majority has favoured 131 members who have been enrolled as members. The consideration of the larger number of members was never prevented by the learned Single Judge.

In any case, if the eligible persons are considered

and out of that 131 is not selected, no error could be found in the said procedure. The petition is, therefore, without substance and therefore, rejected.

JUDGE

JUDGE

Ambulkar