

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

WRIT PETITION NO. 2401 of 2013

(Nilkanth Shimon Chandekar and anr. Vs. Vishwanath Umaji Daygawane and
ors.)

with

WRIT PETITION NO. 2411 of 2013

(Vasantrao Dadarao Khotare and anr. Vs. Dy. Charity Commissioner, Nagpur
and ors.)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

Shri P. A. Gode, Advocate for petitioners in WP 2401/13
and for respondent nos. 2 and 3 in WP 2411/13
Shri V. P. Marpakwar, Advocate for petitioners in WP
2411/13 and for respondent nos. 3 and 4 in WP 2401/13
Shri Khamborkar, Advocate for respondent no. 1 in WP
2401/13 and for respondent no. 4 in WP 2411/13
Shri P. B. Patil, Advocate for applicants in CAW 215/15
Shri N. S. Khubalkar, AGP for Dy. Charity Commissioner,
Nagpur.

CORAM

**: B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.**

DATE

: FEBRUARY 9, 2015.

The matters were heard in first half.

We have heard learned counsel appearing
for the parties in second half. Upon instructions,
respective counsel state that if elections are held
by responsible officer under the office of
respondent viz. Deputy Charity Commissioner,
Nagpur in accordance with the constitution of
the trust, they have no objection.

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Shri Gode, learned counsel submits that election should be conducted at Amravati for convenience of Members who reside in Buldana or adjacent area. However, it was opposed by the other counsel who pointed out that Amravati will be far away for Members who come from Gadchiroli or other remote areas.

After some debate, as office of trust is registered at Nagpur, it is agreed that elections be conducted at Nagpur. Accordingly, we direct respondent Deputy Charity Commissioner, Nagpur to nominate a responsible officer within two weeks in accordance with law for holding said election and election shall be completed within a period as required therefor in said bye-laws or constitution of the trust.

With these directions and with liberty to parties to raise their challenge, if any, thereafter in accordance with law, we dispose of the writ petition. No costs.

Authenticated copy of this order be supplied to learned counsel for the parties.

JUDGE

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