

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

WRIT PETITION NO. 6632 OF 2015

(BABASAHEB SONBAJI WASADE & ANR..VS..VIJAY RAMCHANDRA DEOTALE & 11 OTH.)

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

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : DECEMBER 16, 2015.

None for the petitioners. Heard Shri P.A. Gode advocate for the respondent No.3-Caveator and Shri V.P. Gangane, A.G.P. for the respondent No.12.

The petitioners have challenged the order passed by the learned Assistant Charity Commissioner rejecting their objection to the tenability of the proceedings under Section 50A of the Maharashtra Public Trusts Act, 1950. The petitioners filed objection (Exh.21) contending that the proceedings under Section 50A of the Maharashtra Public Trusts Act, 1950, which are going on before the learned Assistant Charity Commissioner, cannot be continued as the applicant Nos. 1 to 3 have expired and the application under Section 50A of the Maharashtra Public Trusts Act, 1950 is not signed by the applicant Nos. 4 to 6 and the applicant Nos. 7 to 17 have no locus to prosecute the application. The learned Assistant Charity Commissioner has recorded that the enquiry as to whether the scheme is required to be framed for the public trust, cannot be terminated for the reasons stated in the objection.

I see no reason to interfere with the impugned order which is purely interlocutory in nature.

The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

CAW NO. 2482/2015.

In view of dismissal of the writ petition, the application seeking permission to file documents is rendered infructuous. It is disposed of accordingly.

JUDGE

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