

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6397 OF 2015

Dr. Devendra Balajirao Joshi
and others

...PETITIONERS

versus

The State of Maharashtra and others

...RESPONDENTS

.....

Mr. Abhijit D. Choudhary, Advocate for petitioners
Mrs.A.V. Gondhalekar, AGP for respondents No. 1 and 2
Ms. Sneha Kamble, Advocate holding for
Mr. S.V. Advant, Advocate for respondent No. 4

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**CORAM : S. V. GANGAPURWALA AND
K.K. SONAWANE, JJ.**

DATED : 8th AUGUST, 2016.

Order :-

1. We have heard Mr. Choudhary learned counsel for petitioner, learned Assistant Government Pleader for respondents No. 1 to 3 and Miss. Sneha Kamble holding for Mr. S.V. Advant, learned counsel for respondent No. 4.

2. The directions are sought against respondent No. 3 to allow the petitioners to operate account of the society with respondent No. 3 and also transfer the account from respondent No. 3 to respondent No. 4.

3. Upon hearing learned counsel for parties, it appears that proceedings under section 22 of the Maharashtra Public Trusts Act is pending with Assistant Charity Commissioner / Deputy Charity Commissioner, it would be appropriate for the petitioners to file

application before Assistant Charity Commissioner / Deputy Charity Commissioner seeking necessary directions in view of the fact that the proceedings are pending with it.

4. If petitioners file such an application before the authority, authority concerned shall pass appropriate order upon it on its own merits and in accordance with law after following procedure.

5. Writ petition, as such, stands disposed of. No costs.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S. V. GANGAPURWALA, J.]

MTK