

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.10442 OF 2015
WITH
WRIT PETITION NO.10674 OF 2015**

**Johnson William Shakespeare and others Vs. Sunil Pandurang
Bhambal and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mrs.Madhaveshwari D.Thube Mhase, advocate for the petitioners.

Mr.S.P.Brahme, advocate for Respondent Nos.1 and 2.

**CORAM : S.V.GANGAPURWALA, J.
Date : 21.03.2016.**

PER COURT :

1. Heard.
2. The learned counsel for the petitioners states that the Respondents have filed a Revision against the order passed U/s 47 by the Assistant Charity Commissioner. According to the learned counsel, the petitioners raised objection about maintainability of the Revision before the same authority. The same is rejected. According to the learned counsel, if the Respondents are aggrieved by the same order passed U/s 47 then the remedy is provided under sub-section (5) of Section 47 of the Maharashtra Public Trusts Act.

3. Mr.Brahme, learned counsel for the Respondents supports the order.

4. Perusing the impugned order, it does not appear that the authority has considered Section 47(5) of the Maharashtra Public Trusts Act. It also does not appear that the petitioner has brought the said provision to the notice of the said authority.

5. Considering the above, the impugned order is quashed and set aside. The parties may make fresh submission on the application Exh.14 before the concerned authority, which would be decided by the concerned authority afresh on its own merits.

6. The Writ Petitions are disposed of. No costs

(S . V . GANGAPURWALA, J .)

Dt.21.03.2016.
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