

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9693 OF 2015

Smt. Priya W/o. Pravin Chouhan : Petitioner.
Versus
State of Maharashtra and ors. : Respondents.

Mrs. Gauri Jadhav for the Petitioner.
Mr. S S Bhende AGP for the Respondent Nos.1 and 2.

CORAM : R. M. SAVANT, J.
DATE : 21st March 2016

P.C.

1 The writ jurisdiction of this Court is invoked against the order dated 09/06/2015 passed by the Assistant Charity Commissioner (Hosp), greater Mumbai Region, Mumbai by which order the Application filed for substitution filed by one Mrs. Rachna S Singh came to be allowed and she is allowed to substitute herself in place of the reporting trustee Mr. Prem Masih.

2 The Application filed by the said Mrs. Rachna Singh was supported by the copy of the resolution passed by the Trust. It appears that an objection was taken to the said Application on the ground that the said Rachna Singh was not a trustee of the trust in question. The Assistant Charity Commissioner observed that in the absence of substitution of the reporting trustee Prem Masih by the Applicant, it is not possible to proceed with the change report. It seems that the reporting trustee Prem Masih is not in a position to attend the

proceedings before the Assistant Charity Commissioner. In so far as the issue as to whether the said Rachna Singh is a trustee of the trust in question or not is concerned, the said aspect has been kept open by the Assistant Charity Commissioner meaning thereby that the said aspect can be put in issue in the proceedings before the Assistant Charity Commissioner.

3 In that view of the matter, no case for interference in the writ jurisdiction of this Court is made out. The above Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]