

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

WRIT PETITION NO.3950 OF 2015

(Kalyan s/o Luluji Dongre vs. Mahadeo Ramchandra Kamble and others)

Office Notes, Office Memoranda of

Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri V.K. Paliwal, Advocate for petitioner.

Shri A.P. Thakare, Advocate for respondent no.1.

Shri R.L. Khapre, Advocate for respondent nos.2, 3,
4 and 7.

Shri N.R. Patil, Assistant Government Pleader for
respondent no.9.

Shri A.R. Patil, Advocate for intervener.

CORAM : B.P. DHARMADHIKARI AND
KUM. I.K. JAIN, JJ.

DATED : JUNE 7, 2016

By the impugned order dated 25/5/2015, Assistant Charity Commissioner, Bhandara in exercise of powers under Section 41-A of Bombay Public Trusts Act has directed petitioner not to make any correspondence as President of the Trust with Head Masters or any employee of School and Institutions run and managed by the Trust and also with the Authorities of Education Department of State Government. Perusal of the impugned order shows that the Authority has found that petitioner cannot function against the mandate of Constitution

of the Trust and he has to implement the Resolutions passed by majority of the Managing Committee.

In this situation, we have called upon petitioner to demonstrate from Constitution of the Trust any independent power, which can be exercised by President without Resolution of Managing Committee. No such power could be pointed out.

We find no jurisdictional error or perversity. The petition is, therefore, rejected. No costs.

JUDGE

JUDGE

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