

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.5640 OF 2012

Keda Rajaram Patil & others

Petitioners

Versus

Lotan Anna Patil & others

Respondents

Mr.K.C.Sant, advocate for the petitioners
Mr.P.V.Barde, advocate for Respondents.

CORAM : S.B.SHUKRE, J.

DATE : 16th February, 2017

PER COURT:

1 After hearing the learned Counsel for petitioners as well as learned Counsel for Respondents, it has emerged that the order dated 14.06.2012, passed by the Joint Charity Commissioner, Nashik, which is the subject matter of challenge in this writ petition, itself has been quashed and set aside in its entirety and the matter has been remitted back to the learned Joint Charity Commissioner for rendering decision afresh, by the order passed by this Court on 20.06.2012 in Writ Petition No.4818 of 2012.

2 It is the contention of learned Counsel for petitioners that the petitioners were never heard when the order dated 14.06.2012 was passed by the Joint Charity Commissioner or the order dated 20.06.2012 passed by this Court in W.P. No.4818 of 2012, although at least 4 of the petitioners were parties to the said writ petition, the issue of membership was not involved.

3 This contention is no longer relevant for the simple reason that the order dated 14.06.2012 of the Joint Charity Commissioner itself has been quashed and set aside by this Court. Now, it is informed by the learned Counsel for Respondents No.1 to 6 that subsequently, a fresh order was passed by the Joint Charity Commissioner, as directed by this Court in its order dated 20.06.2012. Therefore, it shall be open for the petitioners to challenge the subsequent order, if they wish to do so, subject to the provisions of the Limitation Act.

4 It is, thus, clear that this petition has been rendered infructuous and is disposed of as such. No costs.

S.B.SHUKRE
JUDGE

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