

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

3 WRIT PETITION NO. 7540 OF 2016

SHIVAJI NAMDEO KHOSE AND OTHERS
VERSUS
JAGANNATH NARHARI KHOSE AND OTHERS

...

Advocate for Petitioners : Mr. Kadam Vikram S.
AGP for Respondents: Mrs. A.V. Gondhalekar

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**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**

DATE : 03.07.2017.

P.C. :-

. After having heard both sides and finding that the order passed on an application under Section 41-A of the Maharashtra Public Trust Act, 1950 does not prejudice either the rights and contentions of both sides, we do not think that we should interfere in the same. In our writ jurisdiction, we cannot re-appreciate and reappraise the factual findings. We do not think that the same are perverse as well. Bearing in mind the long standing dispute and the change report proceedings / inquiry being pending, it is not in the interest of the trust and for protection of its assets that of one of the factions or groups are allowed to operate the bank accounts and withdraw sums and take major policy decisions.

2. In the circumstances, the order under challenge requires no interference. The writ petition is dismissed.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]