

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9249 OF 2017  
(Madolappa Sidramappa Utage and another Vs. The Assistant  
Charity Commissioner and others)  
IN  
WRIT PETITION NO.4983 OF 2016

Mr.R.N.Dhorde and Mr.P.S.Dighe h/f Mr. V.R.Dhorde, Advocate for  
the applicants.

Mr.V.D.Salunke h/f Mr.J.R.Patil, Advocate for respondent No.2.

Mr.S.K.Tambe, AGP for respondent No.1.

( CORAM : Ravindra V.Ghuge, J.)

DATE : 12/07/2017

PER COURT :

1. This matter was heard for some time. After considering the strenuous submissions of the learned Advocates, I expressed a view that the cause of action in this civil application would amount to an independent cause of action.

2. Learned Advocate for the applicants submits upon taking instructions from applicant No.2 who is present in the Court, that the applicants desire to withdraw this application and pose a challenge to the election programme and the election which would be a subject matter of a change report, which would be filed by the reporting trustees.

3. Considering the above, this application is disposed of as withdrawn, with liberty as prayed for. Needless to state, the withdrawal of this application shall not create any impediment to the applicants for seeking redressal of their grievances and all contentions of the litigating sides are kept open to be considered by the appropriate Court.

( Ravindra V.Ghuge, J.)