

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4449 OF 2016

IN

FIRST APPEAL NO. 1678 OF 2008

WITH

FIRST APPEAL NO. 1678 OF 2008

Vasant Tipanna Patil & Ors. ...Applicants

In the matter between

Shivappa Dattatraya Sambhare & Ors. ...Appellants

Versus

Vasant Tipanna Patil & Ors. ...Respondents

Mr. Uday P. Warunjikar, for the Applicants in CA.

Mr. Umesh R. Mankapure, for the Appellants in FA.

Mr. Yogesh Y. Dabke, AGP for the Respondent No. 8.

CORAM : M.S. SONAK, J.

DATE : 4 April 2017

ORDER :

1. Heard learned Counsel for the parties.
2. First Appeal No. 1679 of 2008 is not on board. With the

consent of the parties, same is also taken on board. First Appeal No. 1679 of 2008 is connected with First Appeal No. 1678 of 2008, which is on board today.

3. In both these First Appeals, challenge is to the impugned order which relates to the Change Reports for the years 2002-05.

4. The learned Counsel for the parties agree that after the year 2005, there have been at least two elections and further in respect of two elections, two Change Reports i.e. Change Report No. 242 of 2010 and Change Report No. 4 of 2014 have been filed by the present Appellants before the Assistant Charity Commissioner, Sangli. The said two Change Reports are pending adjudication.

5. In view of the aforesaid, two Appeals can be disposed of by directing the Assistant Charity Commissioner, Sangli to consider and dispose of the Change Report No. 242 of 2010 and Change Report No. 4 of 2014 on their own merits and in accordance with law and without being influenced by observations made in the impugned order, which were challenged in these Appeals.

6. The learned Assistant Charity Commissioner is requested to dispose of the aforesaid two Change Reports i.e. Change
Sharayu.

Report No. 242 of 2010 and Change Report No. 4 of 2014 as expeditiously as possible.

7. The Appeals are disposed of in aforesaid terms. Since the Appeals are disposed of, pending Civil Application does not survive and is also disposed of.

[M.S. SONAK, J.]