

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9810 OF 2015

Shivaji Kautikrao Pawar & Ors. ..Vs.. Sahebrao Kautik Pawar & Ors.

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mr. N.R.Rubna for Petitioners.

Mr. S.M.Kamble for Respondent Nos.1 and 2.

CORAM : K. K. TATED, J.

DATE : JUNE 14, 2017.

P.C. :

. Heard learned Counsel for parties.

2. By this petition under Article 227 of the Constitution of India Petitioners are challenging the order dated 21st July, 2015 passed by Joint Charity Commissioner, Nashik Division, Nashik below Exh. 25 in Inquiry Application No. 10 of 2012 under Section 41(D) of the Maharashtra Public Trust Act, 1960 appointing following five persons :

(1) *Sahebrao Kautik Pawar
R/o Varhane Kaulana, Tal.Malegaon,
Dist. Nashik.*

(2) *Dayaram Rupa Wagh
R/o Varhane Kaulane,Tal. Malegaon,
Dist. Nashik.*

- (3) *Deelip Mahadu Pawar*
R/o Varhane Kaulana, Tal. Malegaon,
Dist. Nashik.
- (4) *Sushila Rajaram Deore*
R/o Varhane Kaulana, Tal. Malegaon,
Dist. Nashik.
- (5) *Arun Raghunath Pawar*
R/o Varhane Kaulana, Tal. Malegaon,
Dist. Nashik.

as Ad-hoc body for looking the management and administration of the Trust known as “Navjeevan Shikshan Sanstha, Varhane, Tal. Malegaon, Dist. Nashik” till disposal of Inquiry Application No. 10 to 2012 under Section 41D of the Maharashtra Public Trust Act.

3. After hearing for sometime, both the parties suggested that instead of deciding the Writ Petition on merits, let the Inquiry Application be disposed of on its own merits after giving chance to both the sides to examine their witnesses.

4. Heard learned Counsel for parties.

5. Considering the impugned order dated 21st July, 2015 passed by the learned Joint Charity Commissioner, Nashik Division, Nashik and as per the request of both the Counsel, following order is passed.

ORDER

(A) Respondent Nos.1 and 2 allowed to

examine not more than 9 witnesses in Application No. 10 of 2012 pending before Jt. Charity Commissioner, Nashik. The Respondent Nos. 1 and 2 are directed to complete their whole evidence latest by 30th September, 2017 and cross examination, if any.

(B) Petitioners are permitted to examine two witnesses. Petitioners are directed to complete their evidence latest by 31st October 2017 and cross examination, if any.

(C) Both parties are directed to keep their respective witnesses present on dates fixed for recording of evidence and co-operate the Authority in expeditious disposal of proceedings.

(D) Both parties are directed not to seek adjournments and complete their evidence in stipulated time. It is made clear that no extension shall be granted.

(E) Ld. Jt. Charity Commissioner, Nashik is directed to finally dispose of Application No. 10 of 2012 on or before 31st December 2017.

(F) All contentions of both the parties on merit are kept open.

(G) Minutes of order dated 14th June, 2017 with consent of both the parties has taken on record and marked “X” for identification.

(H) Writ Petition is disposed of, accordingly.

(K.K.TATED, J.)