

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 4215/2016.

Shri Jagannath Onduji Bhadke and others.

-VERSUS-

Shri Kewalram Raghuji Humne and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.

DATE : NOVEMBER 15, 2017.

Heard Shri S.D. Abhyankar, learned Counsel for petitioners, Shri K. Agrawal, learned counsel for respondent no.1, Shri S.D. Malke, learned counsel for respondent nos. 2,3 and 5 and learned A.G.P. for respondent no.6.

2. After orders of this Court dated 07.02.2017, respondent no.6 Assistant Charity Commissioner, Chandrapur has filed reply. He has stated that on the basis of last valid list of voters in the year 2011, elections can be conducted even now.

3. The elections are now being due. 2 or 3 change reports proceedings are also pending.

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4. We find that elections over due cannot be avoided and a body representing the undisputed members can be entrusted with the responsibility to administer the Trust during the pendency of said change report proceedings. It is obvious that such elections shall be subject to outcome of those change report proceedings. Hence, with consent of parties, we direct that on the basis of 2011 voters list of Dr. Ambedkar Study Circle, Chanda, a Registered Public Trust with PTR No. F-37(C), be conducted as per law. The election process in this respect shall be initiated under the supervision of respondent no.6 within a period of three weeks from today. It is clarified that the body getting elected shall be subject to the outcome of pending change report proceedings.

5. With these directions, Writ Petition is disposed of. No costs.

JUDGE**JUDGE**

Rgd.