

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAW) NO.2922 OF 2017

IN

WRIT PETITION NO. 4155 OF 2015 (D)

(MUKUND SADASHIV JOSHI...VS.. SUKHDEO PANDURANG SARODE & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N.R.Patil, A.G.P. for Applicant-Joint Charity Commissioner.

CORAM : Z.A.HAQ, J.

DATED : DECEMBER 20, 2017.

This application is filed by the Joint Charity Commissioner praying that Clause (ii) of paragraph 8 of the judgment passed by this Court in Writ Petition No.4155 of 2015 on 3rd October, 2017 be modified and "Joint Charity Commissioner" be substituted by Deputy Charity Commissioner / Assistant Charity Commissioner.

2. In the civil application it is stated that in view of the amendment to the Maharashtra Public Trusts Act, 1950 by the Amendment Act of 2017, the proceedings under Section 50A of the Act of 1950 would now be dealt with by the Deputy Charity Commissioner or Assistant Charity Commissioner and therefore, the modification, as prayed for, is required.

3. The application is misconceived. If the proceedings are transferred to some other Court or Authority as per the statute, the directions given by the superior Court to the Court or Authority which earlier dealt the matter are binding on the Court / Authority to which the proceedings are

transferred.

With the above observation, the application is
dismissed.

JUDGE

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