

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9265 OF 2013

**MURUDESHWAR DEVSTHAN TRUST, MURUD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

**WITH
CIVIL APPLICATION NO.12010 OF 2015
IN WP/9265/2013**

**PRAKASH NAMDEO NADE.
-VERSUS-
MURDESHWAR DEVASTHAN, MURUD AND OTHERS.**

**WITH
WRIT PETITION NO.9747 OF 2014**

**MURDESHWAR DEVASTHAN TRUST
-VERSUS-
THE STATE OF MAHARASHTRA AND OTHERS.**

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Advocate for the Petitioner : Shri V.J.Dixit, Senior Advocate h/f Shri
Shinde Manoj D..
AGP for Respondents 1 to 3 : Shri S.R.Yadav.
Advocate for the Applicant in CA : Shri V.G.Mete.
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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 22nd June, 2018

Per Court:

1 I have heard the learned Advocates for the respective sides
briefly.

2 In the first Writ Petition No.9265/2013, the impugned order is in fact the communication dated 04.10.2013 from the Additional Collector, Latur to the Joint Charity Commissioner, Latur. Based on the said communication, the Joint Charity Commissioner directed the Inspector in his office to conduct an enquiry. A report of the Enquiry Officer was submitted on 21.11.2013.

3 In the light of the above, as all subsequent events are subject matter of challenge in the second Writ Petition No.9747/2014, it is obvious that the Petitioner Trust has raised a comprehensive challenge in the said petition and therefore, the first petition becomes infructuous since all grounds are available to the Petitioner in the second petition. As such, the first Writ Petition No.9265/2013 stands disposed of. The pending Civil Application does not survive and stands disposed of.

4 Insofar as the second Writ Petition No.9747/2014, wherein, this Court (Coram : Sunil P. Deshmukh, J.) has granted ad-interim protection by order dated 22.10.2013 is concerned, the said petition would not lie before this Court (Coram : Myself) considering the present judicial assignment. Hence, Writ Petition No.9747/2014 would be considered by the learned Judge who is assigned the Writ Petitions of even years.