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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3601 OF 2017

Vittaladas P. Mundada & Anr.	...Petitioners
V/s.	
The Charity Commissioner, Solapur Region, Solapur & Ors.	...Respondents

Mr.Vikrant V. Parashurami for the Petitioners.

Mr.S.H. Kankal, A.G.P. for the State – Respondent No.1.

CORAM : R.D. DHANUKA, J.
DATE : 5TH JUNE, 2018.

P.C. :-

1. By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 28th November, 2016 passed by the learned Assistant Charity Commissioner, Solapur Region, Solapur rejecting the application filed by the petitioners for impleadment in the change report filed by the respondent nos.2 and 3.

2. It is held by the authority that the petitioners had neither pleaded nor established that they were entitled to attend or were in habit of attending the performance of worship or service at the temple. The petitioners had also not demonstrated as to how the order passed in the present proceedings would affect them adversely.

It is held that mere claim that the petitioners are devotees and disciple of temple is not sufficient to place the applicants within the scope of section 73-A of the Trust Act. In my view such finding of facts rendered by the Assistant Charity Commissioner, Solapur are not perverse and does not warrant any interference.

3. The petition is devoid of merit and is accordingly dismissed. No order as to costs.

(R.D. DHANUKA, J.)