

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

927 CIVIL APPLICATION NO.2813 OF 2019
IN WP/1618/2019

SANT NAMDEO MANDIR JIRNODDHAR SAMITI THROUGH PRESIDENT
VERSUS
THE JOINT CHARITY COMMISSIONER AND OTHERS

...
Advocate for Applicants : Dr. Nandedkar Sahebrao G.
Mr. SD Ghayal, AGP for Respondents:1 & 2;
Mr. S.S. Londe, Adv. For R/3.

CORAM : P.R. BORA, J.
DATED : 22nd March, 2019.

PER COURT:-

1. Heard learned counsel for the respective parties.

2. Perused the order dated 2nd January, 2019 passed in Appeal No.945/2018 by learned Joint Charity Commissioner, Greater Mumbai Region, Mumbai. I deem it appropriate to reproduce here below the said order, which reads thus,

"1. Appeal stands dismissed.

2. Respondents are directed to submit the statement of income & expenditure promptly every month to Assistant Charity Commissioner, Hingoli to keep the transparency in their work.

3. The respondents shall make endeavour to complete the construction work and to hand over the charge of the temple to the Trust i.e. Shri Saint Namdev Mandir Trust, Narsi having P.T.R. No.A-

(2)

1274 (Parbhani) on or before
15/02/2019."

3. By filing the present application, the applicant has prayed for extension of time to complete the construction, as has been directed in the aforesaid order.

4. It is contended that due to some difficulties which are beyond control of the applicant, the construction could not be completed in the period stipulated there for.

5. The application is opposed by learned counsel for Respondent No.3. It is the contention of the learned counsel that the order, directing registration of the present applicant as a trust itself is erroneous. On making a query, learned counsel informed that the construction of the temple is going on. It is further informed that the construction is not being done by Respondent No.3 trust.

6. Having considered the facts, as above, it does not appear to me that there is any substance in the objection raised by Respondent No.3 for allowing the present application. Hence, the following order, -

(3)

ORDER

- i. The Application is allowed.
- ii. Time to complete the construction stands extended by next four months.
- iii. It need not be stated that the order passed by the learned Joint Charity Commissioner, referred to herein above, shall not be binding on the parties.

(P.R. BORA)
JUDGE

bdv