

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

REVIEW PETITION NO.70 OF 2019

(Chandrashekhar s/o Manmathappa Chavanda and others Vs.
Ramakant s/o Annarao Ankulge and others)

IN

WRIT PETITION NO.3855 OF 2018

WITH

REVIEW PETITION NO.69 OF 2019

IN

WRIT PETITION NO.1098 OF 2018

Mr.V.J.Dhage, Advocate for the applicants.

Mr.N.P.Patil-Jamalpurkar, Mr.P.G.Rodge, Mr.S.P.Brahme,
Mr.B.L.Sagar Killarikar, Advocates for the respondents.

Mr.S.R.Yadav, AGP for State.

Mr.A.N.Sabnis h/f Mr.V.D.Gunale, Advocate for respondent Nos. 4
and 8 (in RA No.69/2019)

(CORAM : Ravindra V.Ghuge, J.)

DATE : 03/06/2019

PER COURT :

1. This matter was heard for some time.
2. The learned Joint Charity Commissioner had passed an order on 25/10/2017 in Appeal Nos.24/2015 and 25/2015. By the said order, the option to these review applicants to approach the learned Joint Charity Commissioner for assailing their invalidation as members under the order dated 16/04/2015 passed by the Deputy Charity Commissioner, Latur in change Report No.564/2004, was

kept open. Even when this Court has passed an order on 26/03/2019, by consent of the parties in WP No.1098/2018 with CA No.4126/2019 and WP No.3855/2018 with CA No.4127/2019, the said option was kept open.

3. The learned Advocate for the review petitioners submits on instructions from the petitioner No.1 present in the Court that they would approach the learned Joint Charity Commissioner for assailing the order invalidating their members. It is, therefore, prayed that these review petitions be disposed off.

4. As such, both these review petitions are disposed off.

5. In the event, these review petitioners prefer an appeal before the learned Joint Charity Commissioner in view of the above for challenging the order dated 16/04/2015 to their extent, the said authority would decide their appeal within a period of 6 (six) months. If required, the respondents in the said appeal could be served through paper publication. All contentions of the litigating sides including the submissions under Order 41 Rule 33 of the CPC are kept open.

6. Needless to state, the consensus before this Court arrived at between the 51 persons belonging to the Dandwate Group and the 13 persons belonging to the Tondare Group, may be considered.

7. The interim order passed by the learned Vacation Court on 17/05/2019 in the review applications, is therefore, vacated.

(Ravindra V.Ghuge, J.)