

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.11860 OF 2019

WITH WP/11892/2019 WITH WP/11929/2019

SWATITAI ANNARAO TAMBHALE

VERSUS

BHAGWAN VENKATRAO PEDDAWAD

...

Advocate for Petitioner in W.P.No.11860/2019 :

Ms.N.B.Kamble with Mr.S.V.Adwant

Advocate for Petitioner in W.P.No.11892/2019 :

Mr.V.D.Hon, Sr.Counsel h/f Mr.D.J.Chaudhari

Advocate for Petitioner in W.P.No.11929/2019 :

Mr.A.S.Sakhare h/f Mr.V.D.Sapkal

Advocate for Respondent Nos.1A & 1B in

W.P.No.11860/2019 : Mr.B.B.Yenge

Advocate for Respondent Nos.2 & 3 in W.P.No.11892/2019

& W.P.No.11929/2019 : Mr.B.B.Yenge

Advocate for Respondent No.1 in W.P.No.11892/2019 :

Mr.R.R.Mantri

Advocate for Respondent No.1 in W.P.No.11929/2019 :

Mr.R.N.Dhorde Sr.Counsel h/f Mr.V.R.Dhorde

A.G.P. for State -Respondent No.4 in

W.P.No.11892/2019 : Mr.S.W.Munde

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CORAM : RAVINDRA V. GHUGE, J.

DATE : 7th December, 2019.

PER COURT :-

1. These matters were briefly heard.
2. After hearing the submissions of the learned Senior Advocates and the learned Advocates appearing on behalf of the parties, I expressed a view that as the order passed by the learned Joint Charity Commissioner, Aurangabad Region, Aurangabad, appears to be a stop gap arrangement so as to safeguard the interest of the litigating sides and at the same time ensure that the affairs of the Trust are not brought to a stand still, the said order could be continued for a limited period and the appeals could be decided expeditiously.
3. For clarity, the operative part of the impugned order reads as under:-

“(1) Application is partly allowed.

(2) Respondent Shri.Bhagwan Peddawad, original Reporting Trustees of Change Report No.13/2007 is hereby restrained from taking policy decision relating the Trust and he is

permitted to manage the day to day affairs of the Trust till disposal of these Appeals.

(3) Original order be kept in Appeal No.266/2019 and its verified copy be kept in Appeal No.267/2019 and 268/2019."

4. The learned Advocates for the respective sides agreed that the four Appeal Nos.266/2019, 267/2019, 268/2019 and 274/2019 could be decided within a time frame as this Court may direct.

5. Considering the above, these petitions are disposed off. It is informed that the next date of hearing before the learned Joint Charity Commissioner is 23/12/2019. As such, all these parties shall appear before the concerned authority on 23/12/2019. They are at liberty to submit their brief synoptical notes of submissions on 23/12/2019 or 24/12/2019.

6. Thereafter, the learned authority would post the matter for recording oral submissions of the

litigating sides, which shall be concluded in any case on or before 31/01/2020. The learned Joint Charity Commissioner shall thereafter close the four appeals for his judgment, which he shall deliver on/or before 15/03/2020.

7. Needless to state, the impugned order, portion of which is reproduced above, shall continue to bind the parties till 15/03/2020 or till the said four appeals are decided, whichever is earlier.

(RAVINDRA V. GHUGE, J.)

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