

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

40 WRIT PETITION NO.13683 OF 2019

SHYAMLAL MEMORIAL EDUCATION SOCIETY UDGIR
THROUGH ITS SECRETARY
VERSUS
THE JOINT CHARITY COMMISSIONER DIVISION
LATUR AND OTHERS

...
Advocate for Petitioner : Shri R.D. Biradar
AGP for Respondent – State : Shri S.G. Sangle

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CORAM : S V GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

Dated: November 13, 2019

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PER COURT :-

1. Mr. Biradar, the learned counsel for the petitioner submits that, the present petition is filed to quash the proceedings under Section 50 of The Maharashtra Public Trust Act, 1950. Under the said proceedings, the Jt. Charity Commissioner is contemplating to decide the membership and also appoint Administrator. According to the learned counsel, the manner in which the orders are passed is suggestive of said fact. The person who is already party to the proceedings had filed an application for addition of the party and same was allowed. The learned counsel relies on the judgment of the Division Bench of this Court in the case of *Dinkar Shankarrao Patil & Ors Vs. Sheshrao Shankarrao Patil & Ors* reported in *2008 (3) Mh.L.J. 833*.

2. The petitioner is presuming that the Jt. Charity Commissioner would not consider his objection and decide the matter within one week.

2. The Jt. Charity Commissioner certainly would consider all the objections and contentions raised by the petitioner. As far as the objection of the petitioner that all other interested persons are not added as a party, it is for the interested persons to make an application which applications would certainly be considered by the Jt. Charity Commissioner on its own merits.

3. With the aforesaid observations, the writ petition stands disposed of.

(AVINASH G. GHAROTE, J.)

(S V GANGAPURWALA, J.)

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