

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

940 WRIT PETITION NO.13774 OF 2018

MUNICIPAL COUNCIL KUNDALWADI THROUGH VICE PRESIDENT  
VITTHALRAO CHINANNA KUDMULWAR  
VERSUS  
HUTATMA GOVINDRAO PANSARE SHIKSHAN PRASARAK MANDAL  
ARJAPUR THROUGH IN CHARGE PRESIDENT

.....  
Advocate for Petitioner : Mr. Shahaji B. Ghatol Patil  
Advocate for Respondents 1 to 3, 5 to 7 and 9: Mr. M. D. Narwadkar  
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**CORAM : V. K. JADHAV, J.**  
**DATED : 26<sup>th</sup> NOVEMBER, 2019**

**PER COURT:-**

1. Heard.
2. Learned counsel for the respondent public trust has raised preliminary objection that as against the order passed by the Assistant Charity Commissioner, which is impugned in this petition, alternate efficacious remedy is available to the petitioner either to approach the Charity Commissioner in accordance with law or the petitioner may raise objection in the Change Report submitted before the Assistant Charity Commissioner, Nanded on 14.11.2018. Even the Assistant Charity Commissioner while disposing of the application filed by the petitioner under Section 41-A of the Maharashtra Public Trust Act, 1950 has made observations to that effect.

3. Learned counsel for the petitioner, on instructions, seeks liberty to avail the alternate remedy as available in law. The petitioner is at liberty avail the alternate remedy in accordance with law. Writ petition is accordingly disposed of.

**( V. K. JADHAV, J.)**

rlj/