

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4789 OF 2018

SHARAD DHONDOPANT SHAHASTRABUDHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioners : Mr. A.D. Aghav.
AGP for Respondent Nos. 1 to 3 : Mr. N.T. Bhagat.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 12.03.2019

PER COURT :

1. On 21.12.2018, this Court had passed the following order :

“1. The impugned order is passed on 16 November 2017. From the impugned order it is seen that the action under section 41 (D) of the Bombay Public Trust Act, 1950, was taken and an Administrator was appointed. The trustees did not handover the affairs of the trust to the Administrator and therefore, by way of impugned order, they were directed to do so within eight days and the assistance of police was sought to be extended.

2. The order is passed one year back. The petition is pending for admission. There is no interim order. When the matter is called out, adjournment is sought. Under the guise of pendency of this petition, the petitioners have perhaps not complied with the order. If the order is not so complied, it shall be complied with forthwith.

3. *Stand over to 14 January 2019.”*

2. The petitioners have placed on record a copy of the panchnama as well as the typed copy dated 21.12.2017, by which, the impugned order directing the petitioners to hand over the affairs of the trust to the administrator, has been complied with. Said documents are taken on record and marked as 'X' collectively for identification.

3. It is, therefore, clear that, by virtue of the of the impugned dated 16.11.2017, the enquiry against these petitioners under section 41 (D) of the Maharashtra Public Trust Act, 1950, has been initiated. I deem it appropriate, to dispose off this petition petition with a direction to the Joint Charity Commissioner, Latur, to conclude the enquiry as expeditiously as possible and within a time frame.

4. In view of the above, this petition is disposed off with a direction to the Joint Charity Commissioner, Latur, to concluded the enquiry/action under Section 41 (D) as expeditiously as possible and in any case on/or before 31.07.2019.

(RAVINDRA V. GHUGE, J.)