

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD**

WRIT PETITION NO.170 OF 2019

MAROTRAO NAGORAO SHINDE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Shri N.P.Patil Jamalpurkar  
AGP for Respondents 1 to 3 : Smt. M.A.Deshpande  
Advocate for Respondent 4 : Shri S.B.Punlundwar  
Advocate for Respondent 5 : Shri V.S.Panpatte  
Advocate for Respondent 6 : Shri R.K.Ashtekar

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**CORAM : NARESH H. PATIL, C.J. & V.M. DESHPANDE, JJ.**

Dated: March 25, 2019

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P. C. :-

1. We have heard learned counsel for the respective parties.
2. It seems that there are two groups claiming to be elected members of the educational Trust. Change Reports filed by them, claiming to be the elected members, are pending for consideration of the authority. The proceedings are also initiated in the Civil Court.
3. Taking into consideration the material placed on record and the orders passed, we find that the prime object of running an educational institution must be safeguarded. The dispute amongst the members of the Trust / managing committee would ultimately affect the administration of the educational institution and hampers

the quality of education. Ultimate sufferers are the students. The stake holders must show clear concern so that the educational institution like the present one - Adarsh Vidyalay Shikshan Samiti, Manatha, Tq. Hadgaon, District Nanded, which receives grant-in-aid, shall be administered in the manner befitting the aims and objects of establishment of an educational institution.

4. In the interest of administration of the institution, at this stage, we are of the view that the Administrator or a Committee of Administrators shall be appointed till the appropriate decisions are taken and such a Committee shall be placed into office for running the affairs of the Trust. In the meanwhile, if the parties to the Trust come together and decide unanimously for getting a committee appointed to run the Trust / educational institution, comprising members of their choice, then such a request can also be considered.

5. We direct the Deputy Director of Education to appoint a Committee of responsible officers of the Government to manage the administration of the Trust till the managing committee members resolve their differences or till unanimously names of the members are proposed by the members of the Trust to act in place of the Committee of Administrators. This arrangement shall be ad-hoc in nature.

6. All issues on merits, in a contest before the appropriate authority / Charity Commissioner or the Civil Court are kept open.

7. We further make it clear that this arrangement shall be interim and shall be operative only till the decision on change reports and/or till the members unanimously suggest the names of the members of their choice for a committee to administer the Trust.

8. Writ Petition is accordingly disposed off.

9. Learned AGP to communicate this order to the concerned authorities.

( V.M. DESHPANDE, J. )

( CHIEF JUSTICE )

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