

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION**

WRIT PETITION NO. 2273 OF 2017

Shri Anil Daulatrao Danekar & Ors.	...Petitioners
vs	
Smt.Smita Dilipkumar Chavan & Ors.	...Respondents

WITH
WRIT PETITION NO. 4456 OF 2019

Shri Vilas Ganpati Gaikwad & Ors.	...Petitioners
vs	
The Chaitanya Education Society, Miraj & Ors.	...Respondents

Mr.Girish S. Godbole, Senior Advocate I/b. Akshay Petkar & Kaustubh Thipsay for Petitioner in WP 2273/2017.

Mr.Umesh R. Mankapure with Ms.Rati S. Sinhasane for Petitioner in WP 4456/2019.

Ms.Rajeshwari Patil I/b. S.S. Patwardhan for Respondent No.1 in WP 4456/2019.

Mr.Sukand R. Kulkarni for Respondent No.6 in WP 2273/2017.

CORAM : S.C.GUPTE, J.

DATE : 17 JULY 2019

P.C. :

Heard learned Counsel for the parties.

2 These two petitions challenge an order passed by the District Court at Sangli in an application made to it under Section 56A of the Maharashtra Public Trusts Act, as the provision stood then. After the matter is heard at some length, it is agreed between learned Counsel for the parties that the impugned order of the District Court may be set aside and the Deputy Charity Commissioner, Sangli should be ordered to dispose of

the change report applications by the parties in an expeditious manner. It is also submitted by the parties that in the meantime, the Charity Commissioner may appoint a person of his choice including any officer from the Charity Commissioner's office or a completely independent person who is not connected with the dispute to carry out the day to day activities of the subject trust till the change reports are decided .

3 Accordingly, the impugned order dated 19 September 2016 passed by the District Court at Sangli is quashed and set aside, and the Deputy Charity Commissioner, Sangli is directed to dispose of pending change report applications in respect of Chaitanya Education Society, Miraj as expeditiously as possible and in any event, within a period of six months from today. In the meantime, till the applications are decided by the Deputy Charity Commissioner, an officer from the office of the Deputy Charity Commissioner or a completely independent person who has no connection with the disputes between the parties, may be appointed by the Deputy Charity Commissioner as an administrator of the trust. It is made clear that pending the disposal of the change report applications, this administrator shall only carry on day to day activities of the trust and not to take any major financial or policy decision in respect of the trust properties or the trust institutions. The Deputy Charity Commissioner is directed to appoint a suitable administrator within a period of two weeks from today.

4 The writ petitions are disposed of in the above terms.

(S.C. GUPTE, J.)