

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (ST.) NO.25910 OF 2019

H. Bh. P. Dhondo Govind Atre @ Dhondopant Dadas
Bhajani Sampradayik Fad Pandharpur and others ... Petitioners
Vs.
Dinkar Ramji Khamkar and others ... Respondents

Mr. Anant Vadgaonkar for Petitioners.
Mr. C. D. Mali, AGP for Respondent Nos.5 to 7-State.

CORAM : UJJAL BHUYAN, J.
DATE : OCTOBER 10, 2019

P.C. :

Heard Mr. Vadgaonkar, learned counsel for the petitioners and
Mr. Mali, learned AGP for respondent Nos.5 to 7-State.

2. Considering the nature of dispute raised in the Writ Petition,
Court is of the view that the same can be disposed of at this stage of the
proceedings itself without issuing formal notice.

3. Matter relates to management of a Trust called H. Bh. P. Dhondo
Govind Atre @ Dhondopant Dadas Bhajani Sampradayik Fad
Pandharpur.

4. It appears that 45 applications were received for filling up 15
posts in the Trust. Those were filed before the Assistant Charity
Commissioner, Solapur. The Change Report has been numbered as
Enquiry Application No.49 of 2017. Matter is pending before the
Assistant Charity Commissioner for consideration of approval.

5. In the meanwhile, alleging that some of the respondents were
misusing the name of the Trust by illegally collecting donations, etc.
from the devotees, petitioners filed an application under Section 41E of
the Maharashtra Public Trusts Act, 1950 before the Joint Charity

Commissioner, Pune Region, which was registered as Application No.32 of 2019. After hearing the matter, Joint Charity Commissioner passed an order dated 03.09.2019 appointing a Board of Care Takers to look after the day-to-day administration of the Trust till appointment of new trustees along with certain other directions.

6. Aggrieved by the same, present Writ Petition has been filed.
7. After hearing learned counsel for the parties and on due consideration, Court is of the view that it would be just and proper if a direction is issued to the Assistant Charity Commissioner, Solapur to expedite decision on Enquiry Application No.49 of 2017 since already about two years have lapsed.
8. In so far as order passed by the Joint Charity Commissioner dated 03.09.2019 is concerned, Court is of the view that since the tenure of the present trustees is over, which has been taken note of by the Joint Charity Commissioner, constitution of Board of Care Takers is only an interim arrangement, which will hold the field only till appointment of new trustees. In such circumstances, interference with the order dated 03.09.2019 is not warranted.
9. Accordingly and in the light of the above, Assistant Charity Commissioner, Solapur is directed to take a decision on the Enquiry Application No.49 of 2017 one way or the other within a period of 6 weeks from the date of receipt of an authenticated copy of this order and during this period of 6 weeks, order dated 03.09.2019 passed by the Joint Charity Commissioner shall hold the field.
10. With the above direction, Writ Petition is disposed of.

(UJJAL BHUYAN, J.)