

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 10118 OF 2018**

Atmaram Ramchandra Waghmare & Anr.Petitioners.

Vs.

Anandraj Yeshwant Ambedkar & Ors.Respondents.

Mr. Suresh Kamble for the Petitioners.

Mr. S.D. Rupwate for the Respondent Nos. 1 to 22.

Ms. Geeta Sonawane, AGP for the Respondent Nos. 36 and 37.

CORAM : A. S. GADKARI, J.

DATE : 11th OCTOBER, 2019.

P.C.:-

The record indicates that, the term of the Respondents as Managing Committee Members of the Bouddhajan Panchayat Samiti Trust, has come to an end on 31st March, 2019.

2 The Petitioners' contention is that, the Respondents thereafter passed Resolution dated 22nd December, 2018 in its General Body Meeting and got their tenure extended by further period of two years. That, in furtherance of the said Resolution dated 22nd December, 2018, a change report is submitted before the Assistant Charity Commissioner, Mumbai bearing No. 4650 of 2019. The said change report is pending for final adjudication before the said

Authorities..

3 As the passing of Resolution dated 22nd December, 2018 and filing of Change Report in furtherance thereto, gives rise to a fresh cause of action, this Court was not inclined to interfere in the impugned Order dated 9th January, 2018 passed by the Charity Commissioner, Maharashtra State, Mumbai.

4 Facing with the said difficulty, Mr. Kamble, the learned counsel appearing for the Petitioners, on instructions, seeks leave to withdraw the present Petition with liberty to contest the said Change Report No. 4650 of 2019 pending on the file of Assistant Charity Commissioner, Mumbai.

Leave and liberty granted.

5 It is however made clear that, the Respondents herein are at liberty to question the *locus-standi* of the Petitioners in the said proceedings i.e. said Change Report No. 4650 of 2019 before the Assistant Charity Commissioner.

Writ Petition is disposed off as withdrawn with aforesaid liberty.

(A.S. GADKARI, J.)