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

WRIT PETITION NO. 3692 OF 2019

Samir Shivaji Chavan and others

.....Petitioners

V/s.

Joint Charity Commissioner, Pune
Division and others

.....Respondents

Mr. D. D. Rananaware for the Petitioner
Mr. Shrivallabh Panchpor AGP for the State

CORAM : NITIN W. SAMBRE, J.

DATE : JULY 16, 2019.

P.C.

In continuation to the earlier order dated 20/06/2019, what is noticed is, none appears for respondent though served. It is the contention of the petitioner that order impugned thereby quashing and setting aside acceptance of change report No. 990 of 2013 passed by Assistant Charity Commissioner on 03/01/2017 was set aside in Revision Application under Section 70A of the Maharashtra Public Trusts Act ('the Act' for short) by the Joint Charity Commissioner vide order dated 06/12/2018.

2 It is the case of the petitioner that the order passed by the Joint Charity Commissioner is without putting the petitioner to notice or without giving an opportunity of hearing.

3 The contentions of the petitioner are not controverted. Even perusal of the order impugned does not reflect that the petitioner was served when the order impugned was passed as the petitioners were not impleaded as party to the said Revision Application. That being so, order impugned dated 06/12/2018 passed in Revision No. 73 of 2017 is hereby quashed and set aside. The petitioners are granted liberty to appear before Joint Charity Commissioner in the aforesaid proceeding so as to canvass their claim being recorded trustees of the Trust in question.

4 Petition stands allowed in the above terms.

[NITIN W. SAMBRE, J.]