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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11500 OF 2018

Shivbhumi Shikshan Mandal
through Sangram D. Konde

... **Petitioner.**

Versus

Rajaram S. Konde & Ors.

... **Respondents**

.....

Mr. Ashutosh Gole a/w Mr. P. K. Gogad, Advocate for Petitioner.

Mr. Anand Shalgaonkar for Respondent Nos.1 to 3.

Mr. S. D. Rayrikar, AGP for Respondent-State.

.....

CORAM : A. S. GADKARI, J.

DATE : 13th AUGUST, 2019

P. C. :

1. By the present Writ Petition, petitioner has impugned Order dated 24.05.2018 passed by Deputy Charity Commissioner, Pune Region, Pune below Exhibit 32 in Change Report No. 1888 of 2015 thereby allowing the said application of the respondents for intervention in the said change report.

2. The Roznama of the proceedings clearly indicates that in the absence of Advocate for the petitioner herein and without hearing the petitioner, the said order is passed. It further appears that, the principles of natural justice have not been complied with by the concerned Authority before allowing the said application.

3. In view thereof, the impugned Order dated 24.05.2018 passed by Deputy Charity Commissioner, Pune Division, Pune is hereby set aside and the said application filed below Exhibit 32 is restored to the file of Deputy Charity Commissioner, Pune Division, Pune for its consideration on its own merits.

4. The parties herein are directed to appear before the respondent no. 4 - Deputy Charity Commissioner, Pune Division, Pune on 29th August 2019 at 3:00 p.m.

The respondent no.4 will thereafter fix any particular date for hearing of the said application below Exhibit-32.

5. Writ Petition is allowed in the aforesaid terms.

(A. S. GADKARI, J.)