

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1541 OF 2019

(VASANT PUNDLIK INGALE...VS.. SUDAM NAMDEO KHANDARE & OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri V.K. Paliwal, Advocate for Petitioner.

CORAM : Z.A.HAQ, J.

DATED : MARCH 07, 2019.

CIVIL APPLN. NO. 665/2019.

For the reasons mentioned in the application, the petitioner is permitted to correct the name of the respondent No.7 as Sampat Govinda Khandare.

The application is **disposed** accordingly.

W.P.NO.1541/2019.

Heard.

The revision filed by the petitioner under Section 70A of the Maharashtra Public Trusts Act, 1950 is dismissed by the learned Joint Charity Commissioner by the impugned order. The learned Joint Charity Commissioner has recorded that along with the change report, the reporting trustee had filed "no objection" of outgoing trustees, Consent Letter of incoming trustees, copy of the notice of meeting of the executive Committee and minutes of meeting of the executive Committee dated 1st April 2011, copy of notice of meeting of the general body and minutes of meeting of the general body

dated 2nd April, 2012. The learned Joint Charity Commissioner has observed that the petitioner had also signed the document by which “no objection” was given by the outgoing trustees. The learned Joint Charity Commissioner has observed that the petitioner had also filed an affidavit before the Assistant Charity Commissioner in support of the change report. This fact has weighed with the learned Joint Charity Commissioner while passing the impugned order. According to the petitioner, he was not aware about the proceedings before the Joint Charity Commissioner and has not sworn any affidavit in support of the change report.

The petitioner has filed an additional affidavit sworn on 28th February 2019 stating that he was not aware about the proceedings before the Assistant Charity Commissioner and he has not sworn the affidavit as recorded in the impugned order.

Issue notice to the respondents.

Shri S.P. Deshpande, Addl. G.P. waives notice for the respondent Nos. 9 and 10.

The respondents may file their reply/ affidavit, if so advised, till 4th June 2019.

List the petition for further consideration on **10th June 2019.**

JUDGE