

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

WRIT PETITION NO.2577 OF 2019

Deorao Raghobaji Golhar and others.

Vs.

The learned Joint Charity Commissioner and others.

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

Court's or Judge's orders

Shri A. P. Thakare, Advocate for petitioners.

Shri H. D. Dube, Assistant Government Pleader for respondent no.1.

Shri M. Dhandekar, Advocate for respondent nos.2 and 3.

CORAM : A. S. CHANDURKAR, J.

DATE : DECEMBER 09, 2019.

An interlocutory order passed by the learned Joint Charity Commissioner dated 27.02.2019 staying the effect and operation of the order passed by the learned Deputy Charity Commissioner on 24.01.2018 accepting the change report that was filed by the petitioners is under challenge in this writ petition. According to the petitioners, the change that took place pursuant to the meeting of the General Body held on 20.09.2017 was reported before the Deputy Charity Commissioner and that change report came to be accepted. The respondent nos.2 and 3 challenged that order by filing proceedings under Section 70-A of the Maharashtra Public Trusts Act, 1950. The learned Joint Charity Commissioner has stayed the order accepting the change report during pendency of the said proceedings.

After hearing learned counsel for the parties it is found that the proceedings filed by the respondent nos.2 and 3 are pending before the learned Joint Charity Commissioner. When notice was issued in this writ petition, the impugned order was not

stayed as a result of which that order continues to operate. In these facts therefore, the interests of justice would be met by directing expeditious disposal of Revision Application No.167 of 2018 preferred by the respondent nos.2 and 3.

Accordingly, the Writ Petition is disposed of by directing the learned Joint Charity Commissioner to expeditiously decide Revision Application No.167 of 2018 on its own merits and in accordance with law. Steps be taken to decide those proceedings preferably within period of six months from today. All points on merits are kept open. The Writ Petition is disposed of. No costs.

JUDGE