

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

WRIT PETITION NO.2685/2019

Shri Gajanan Ramji Bhede

..Vs..

Shrawan Laxman Bawankule 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 D.B. Abhyankar, Advocate for the petitioner.
Shri P.A. Gode, Advocate for respondent Nos.1 and 2.
Ms. Kalyani Deshpande, A.G.P. for respondent No.3.

CORAM : Z.A. HAQ, J.

DATED : 3.7.2019.

Heard.

The petitioner has challenged the order passed by the Deputy Charity Commissioner rejecting the objection taken by the petitioner for deletion of entry in Schedule I of the Public Trusts Register which was taken pursuant to the order passed in Change Report No.735/2009 on 2nd June, 2009. Undisputedly, name of petitioner was recorded in Schedule I of Public Trusts Register as per the order passed in Change Report No.735/2009 on 2nd June, 2009. In the appeal, Joint Charity Commissioner has set aside the order dated 2nd June, 2009 and has remanded the matter to the Deputy Charity Commissioner for fresh consideration. As order dated 2nd June, 2009 is set aside, the entry which was taken pursuant to it is scored off.

The contention on behalf of the petitioner is that Rule 13(3) of the Maharashtra Public Trusts Rules

does not empower the Authority to delete the entry. The submission as made on behalf of the petitioner is misdirected. It is well settled that when statute provides power to do something, power to undo that thing is implicit. In the present case, it cannot be said that the deletion of entry of name of petitioner from Schedule I of the Public Trusts Register in view of setting aside of order dated 2nd June, 2009 is illegal. Hence, I see no reason to interfere with the impugned order. The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

As the Change Report is pending since 2009, learned Deputy Charity Commissioner is directed to dispose it till 30th November, 2019. The parties undertake to co-operate for expeditious disposal of the Change Report.

JUDGE