

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

WRIT PETITION NO. 3986/2019

Gunderao Kanhuji Bhoge & ors.

..VS..

Balkrushna N. Rehpade & ors.

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

Court's or Judge's orders

Ms. S. Dhawas, Adv h/f Shri A.P. Thakare, Adv for the petitioner(s)
Shri N.R. Patil, AGP for the respondent/State

CORAM : Z.A.HAQ, J.

DATED : 14/06/2019

Heard.

By the impugned order, the learned Joint Charity Commissioner has refused to stay the effect and operation of the order passed by the Assistant Charity Commissioner in Change Report No. 63/2015 on 29/11/2018. By the order dated 29/11/2018, the Assistant Charity Commissioner has allowed the change report filed by the respondents about the change which occurred due to elections held on 05/04/2015.

The learned advocate for the petitioners submitted that Change Report No. 223/2010 which was filed earlier by the respondents was allowed, however, the appeal against the order of the Assistant Charity Commissioner accepting Change Report No. 223/2010 is still pending before the Joint Charity Commissioner. The main contention of the petitioners is that the Assistant Charity Commissioner should not have decided Change Report No. 63/2015 till the decision

of appeal pending against the order allowing/accepting Change Report No. 223/2010.

The submission made on behalf of the petitioners is not sufficient to interfere with the impugned order. I am further reluctant to interfere with the impugned order as it is an interlocutory order, and the petitioners have not been able to point out any irreparable loss or prejudice because of refusal of stay as sought by the petitioners.

Hence, the writ petition is **dismissed**. No costs.

However, the Joint Charity Commissioner is directed to decide the Appeal No. 81/2015 and Revision Application No. 103/2019 within three months.

JUDGE

Ansari