

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO.143/2020**

**RAOSAHEB HARIBHAU BHOSLE  
VERSUS  
THE STATE OF MAHARASHTRA AND ANOTHER**

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**Advocate for Petitioner : Mr.VD.Sapkal, Sr.Adv. i/b S.R.Sapkal  
AGP for Respondent State: Mr.P.G.Borade  
Adv.Mr.Jarare h/f S.S.Thombre for R.2.**

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**CORAM : MANGESH S. PATIL, J.  
DATE : 03.12.2020**

**PC. :-**

Heard both the sides.

2] The application submitted by the petitioner in a change report inquiry under Section 22 of the Maharashtra Public Trust Act, requesting for framing of a preliminary issue regarding maintainability was rejected by the Deputy Charity Commissioner.

3] Both the sides are unanimous that instead of deciding the Writ Petition it would be appropriate to quash and set aside the impugned order and let the Deputy Charity Commissioner concerned decide the application (Exh.38) afresh by extending opportunity to both the sides.

4] In view of above, the impugned order is quashed and set aside. The matter is remanded back to the Deputy Charity Commissioner, Beed for

decision afresh in Application (Exh.38) by extending opportunity to both the sides of being heard. The decision of the application shall stand expedited.

**[MANGESH S. PATIL, J.]**

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