

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

WRIT PETITION NO.125/2020

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

...
Advocate for Petitioner : Mr.VD.Sapkal, Sr.Adv. i/b S.R.Sapkal
AGP for Respondent State: Mr.P.G.Borade
Adv.Mr.N.L.Jadhav 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.59) afresh by extending opportunity to both the sides. A precipe to that effect has also been filed on behalf of the respondent no.2.

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.59) 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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