

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 WRIT PETITION NO.948 OF 2019

GOVINDLAL NANDLAL BHARADIYA AND OTHERS
VERSUS
GOPIKISHAN NANDLALJI BHARADIYA AND ANOTHER

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Smt. Anjali Dube (Bajpai), Advocate for the petitioner.
Mr. A.N.Nagargoje, Advocate for respondent No.1.
Mr.P.G.Borade, A.G.P. for respondent No. 2.

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CORAM : **N.B. SURYAWANSHI, J.**

DATE : 30-09-2021

ORDER :

1. Rule. Rule made returnable forthwith. Heard finally with the consent of the parties.
2. This petition filed under Article 227 of the Constitution of India challenges the judgment and order dated 06.09.2018 passed by the Joint Charity Commissioner, Latur in Revision Petition No. 47/2017.
3. Respondent No.1 filed the revision challenging order dated 21.02.2017 passed by Assistant Charity Commissioner, Latur in Change Report No. 317/2017 by which the Change Report filed by the petitioners for the year 2015 to 2020 in respect of change in the Managing Committee of respondent No. 17 – Trust, was accepted.
4. An affidavit is filed by respondent No.1 stating that he was Trustee of Ramdeo Baba Manidr Trust, Ambejogai, District Beed

and due to personal difficulties and old age he is unable to participate in the affairs of the Trust, and therefore, he tendered his resignation as Trustee of the said Trust on 05.09.2019 and his resignation was accepted in the meeting of the Trustees dated 10.09.2019.

5. In view of the affidavit filed by respondent No.1, the learned Advocate for the petitioners submits that the impugned order in the Revision was passed at the instance of respondent No.1. Since he has resigned from the trusteeship, the petition deserves to be allowed.

6. Learned Advocate for respondent No. 1 states that he has no objection if the order passed in Revision Petition No.47/2017, filed by present respondent No. 1, is set aside in view of the subsequent development of resignation of respondent No. 1.

7. In view of the afore-stated circumstances, the impugned order dated 06.09.2018 passed by Joint Charity Commissioner in Revision Petition No. 47/2017 (Exhibit-G) is hereby quashed and set aside.

8. Rule made absolute in the above terms with no order as to costs.

(N.B. SURYAWANSHI, J.)