

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1184 OF 2021

Sanjay s/o Dharamchandra Walali and others

Vs.

Rupchand Gulabsa Jain and others

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

Court's or Judge's orders.

Dr. Smt. R.S. Sirpurkar, Advocate for petitioners.
Shri S.M. Ukey, Addl. GP for respondent No.5.

CORAM : V.M. DESHPANDE, J.

DATE : 3rd MARCH, 2021.

Heard Dr. Smt. R.S. Sirpurkar, learned counsel
for the petitioners.

(2) By this writ petition, the petitioners are
challenging the order dated 11.12.2020 passed by the
Incharge Assistant Charity Commissioner, Washim, below
Exhibit-30 in Change Report Inquiry No.428 of 2015.

(3) The learned counsel for the petitioners submits
that the petitioners and respondents are the reporting
trustees. Respondent no.2 is elected as a Secretary.

(4) Be that as it may, she submits that during the
pendency, respondent nos. 1 and 2 have changed their
stand. The objections were already filed. The parties are yet
to open their case by adducing evidence is the submission
made by the learned counsel for the petitioners. At this stage

respondent raised additional objection opposing the change report. It is submitted that the Incharge Assistant Charity Commissioner ought not to allow the additional objections. This writ petition is pertaining to permission being given to the respondents to file the additional objection.

(5) In my view, since the parties have not opened their cases through evidence, no prejudice will cause to the petitioners if additional objections are allowed to place on the record. No error is committed by the Incharge Assistant Charity Commissioner, Washim. Hence, the writ petition is dismissed. No order as to costs.

JUDGE

Wagh