

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

WRIT PETITION NO. 3216 OF 2021

Shri Kuniyal P. Wasu,
aged about 70 years, Occ.: Retired,
R/o. 115, Narmada Colony,
Katol Road, Nagpur.

.... **PETITIONER.**

// VERSUS //

1. Joint Charity Commissioner,
Nagpur, Civil Lines, Nagpur.
2. The President,
Ayyappa Samajam, Poomkavanam
Behind Police Line Takli, Ayyappa
Nagar, Katol Road, Nagpur-13.

.... **RESPONDENTS.**

Shri G.N.Khanzode, Advocate for Petitioner.
Ms N.P.Mehta, A.G.P. for Respondent No.1.

CORAM : **SUNIL B. SHUKRE AND**
 ANIL S. KILOR, JJ.

DATED : **AUGUST 27, 2021**

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

1. Heard learned counsel for the petitioner and learned A.G.P for respondent Nos.1 to 3, who appears by waiving notice for respondent No.1. There is no need to issue any notice to respondent No.2 as there is no relief claimed against the respondent No.2.

2. **RULE.** Rule made returnable forthwith. Heard finally by consent of the learned counsel for the parties.

3. The grievance of the petitioner is that he along with some other aggrieved persons filed a complaint against respondent No.2 and the date of the complaint is 9th October 2018. This complaint, according to the petitioner, was made to respondent No.1, but the respondent No.1 has not decided his complaint.

4. Considering the nature of the functions and the duties discharged by respondent No.1 under the provisions of the Maharashtra Public Trusts Act, 1950, we are of the view that he would be under a duty to render his decision on the complaint, one way or the other, in accordance with law and if the grievance persists that, if such decision has not been rendered, it would be appropriate for this Court to direct the respondent No.1 to do so.

5. The writ petition is, therefore, **allowed**. Respondent No.1 is directed to decide the complaint dated 9th October 2018, in accordance with law, within a period of four weeks from the date of the order.

Rule made absolute accordingly. No costs.

(ANIL S. KILOR, J)

(SUNIL B. SHUKRE, J.)

RRaut..