

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

WRIT PETITION NO.1663 OF 2022

**VIKRAM BABURAO BHOSALE AND OTHERS
VERSUS
SHIVAJI BABURAO SHINDE AND OTHERS**

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Advocate for Petitioners : Mr. Narwadkar Mrigesh D.
AGP for Respondents/State: Mr. S. W. Munde
Advocate for Respondent No.1: Mr. N. L. Jadhav h/f Mr. R. C.
Bramhankar

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 3rd February, 2022

PER COURT :

. This petition impugns the order dated 13/12/2021 passed by the Deputy Charity Commissioner, Beed/respondent No.5 below Exhibit-178 in Inquiry No.1638/2018, thereby refusing permission to the petitioners herein to lead evidence.

2. After hearing the rival submissions of the learned advocates' for the petitioners and the respondents, this Court is of the view that, fair opportunity needs to be given to the petitioners to lead evidence and they cannot be denied the same. The impugned order since is passed in violation of principle of natural justice, writ petition is allowed in

terms of prayer clause 'C'. The impugned orders passed below Exhibit-162 and Exhibit-178 are hereby quashed and set aside.

3. The petitioners are directed to lead evidence before the Deputy Charity Commissioner, Beed/respondent No.5 on the next date i.e. 14/02/2022. The proceedings i.e. Inquiry No.1638/2018 shall be decided, on its own merits, within a period of six months from today.

4. With these directions, writ petition is disposed of.

(NITIN B. SURYAWANSHI, J.)

Sameer