

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

WRIT PETITION NO. 2915 OF 2022

Johnson William Shakespear
and others .. Petitioners

Versus

Sanny Panditrao Misal and others .. Respondents

Ms. Madhveshwari S. Mhase, Advocate for Petitioners.
Shri A. S. Shinde, A.G.P. for the Respondent/State.

**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 01ST MARCH, 2022.

FINAL ORDER :

. We have heard Mrs. Mhase, the learned advocate for petitioners. The learned advocate submits that, the appeal against the order passed by the Assistant Charity Commissioner upon application U/Sec. 51-A(3) is pending before the Joint Charity Commissioner. The extension is granted to the respondent No. 13 only upto 08th February, 2022. After the said date he has become functious officio. He cannot conduct elections.

2. As the appeal filed by petitioners is already pending before the Joint Charity Commissioner against the order passed by the Assistant Charity Commissioner regarding framing of scheme, the petitioners may seek appropriate orders in the pending matter and/or the petitioners may take up proceeding as may be

permissible under law in the office of the Charity Commissioner qua the election. In that event all contentions are kept open.

3. In the light of the above, the writ petition is disposed of. No costs.

[S. G. DIGE, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 22