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

1002 WRIT PETITION NO.3849 OF 2022

**SHRI DATTA DEVASTHAN TRUST SAVEDI THR ITS TRUSTEES AND
OTHERS
VERSUS
SANJAY SHIVAJI KSHIRSAGAR ND OTHERS**

Ms. Madhaveshwari S. Mhase , Advocate for petitioners;
Mr. S.D. Joshi, Advocate for respondent nos.1, 3, 4 & 5;
Mr. S.P. Brahme, Advocate for respondent no.2;
Mr. A.R. Kale, A.G.P. for respondent nos.8 & 9

**CORAM : R.D. DHANUKA
AND
S. G. MEHARE, JJ.**

DATE : 25th March, 2022

P.C.

1. Leave to amend is granted to carry out amendment in the third line of prayer clause (C) of the petition while correcting the Appeal No. “2 of 2011”, shall be corrected as “2 of 2021”. Amendment be carried out forthwith. Affidavit is dispensed with.

2. Learned Counsel for the petitioners invited our attention to

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prayer clause (D) of the writ petition and submits that the said prayer has become infructuous and is accordingly not pressed. The statement is accepted.

3. Learned Counsel for the petitioners, however, seeks a direction to the Joint Charity Commissioner to expedite the hearing of the appeals mentioned in prayer clause (C) of the petition and to be heard together and chronologically.

4. Learned Counsel for the contesting respondents and the appellant invited our attention to the orders dated 7.12.2021 passed by the Division Bench of this Court in Writ Petition No.13142 of 2021 in the case of Shri. Datta Deosthan Trust vs. Sanjay Kshirsagar & ors. and submits that the orders passed by this Court for disposal of interim applications by the Joint Charity Commissioner shall not be modified if this Court proposes to direct the Joint Charity Commissioner to expedite the appeals filed by the petitioners. The statement is accepted.

5. Since two of the appeals are of the year 2010 and 2011, respectively and subsequent appeals are filed by the petitioners against the same parties, we expedite the hearing of these appeals.

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6. Parties are directed to remain present before the Joint Charity Commissioner on 1.4.2022, at 11.00 a.m. It is made clear that, it is for the Joint Charity Commissioner to pass an appropriate order after hearing all the parties, the basis of sequence of hearing of these matters and the dates of hearing.

7. It is made clear that the orders already passed by this Court for hearing the interim application filed by any of the parties so far, are not modified by this order.

8. Writ Petition is disposed of in aforesaid terms. No order as to costs.

9. Parties to act upon authenticated copy of this order.

(S. G. MEHARE, J.)

(R.D. DHANUKA, J.)

amj