

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

**WRIT PETITION NO.8922 OF 2022**

**SAHEBRAO TATYARAO WAGH AND OTHERS  
VERSUS  
JOINT CHARITY COMMISSIONER, AURANGABAD REGION AND  
OTHERS**

...

Advocate for Petitioners : Mr. Sandip Ramnath Andhale

AGP for Respondents – State : Mr. S. B. Pulkundwar

Advocate for Respondent No.8 : Mr. A. D. Khot

...

**CORAM : NITIN B. SURYAWANSHI, J.**

**DATE : 19<sup>th</sup> SEPTEMBER, 2022**

**PER COURT :**

1. In view of Section 47(5) of the Maharashtra Public Trusts Act, 1950, first appeal is maintainable and not the writ petition. In that view of the matter, learned advocate for petitioners seeks permission to withdraw writ petition with liberty to file first appeal. Permission granted. Writ petition is disposed of as withdrawn with liberty as prayed for.

2. Time spent by petitioners in prosecuting this writ petition may be considered at the time of deciding delay condonation application.

**(NITIN B. SURYAWANSHI, J.)**