

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 WRIT PETITION NO. 9195 OF 2019

SHESHRAO BAGOJI PAIKRAO
VERSUS
MANIK TUKARAM DHENGAL AND OTHERS

...
Advocate for Petitioner : Mr. Bhavthankar Vivek Vasantrao
Advocate for respondents no. 1 to 4 : Mr. S.S. Kulkarni h/f. Mr. Vivek Rathod
AGP for the respondent – State : Mr. A.S. Shinde
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 3 AUGUST 2022

PC :

The petitioner is impugning the order passed by the Assistant Charity Commissioner purportedly in exercise of the powers under section 41A of the Maharashtra Public Trusts Act. By that order, the learned Assistant Charity Commissioner had directed the trustees to hold the elections and to file a change report. This order was passed on 23-04-2019.

2. It appears that though the order was passed in the year 2019, in-fact, the application was filed way back in the year 2013. There is record to demonstrate that even the change reports for the period 2016-2021 were already filed. The parties are unanimous that both the sides i.e. the petitioner and the contesting respondents have

submitted separate change reports which are awaiting hearing and decision.

3. To our mind, the challenge to the order now remains academic.

4. The parties are already before the Assistant Charity Commissioner and he is supposed to take a decision on the change reports filed by them.

5. In that view of the matter, the petition is dismissed.

[SANDEEP V. MARNE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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