

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

939 WRIT PETITION NO.11506 OF 2019

**SHRIKANT BABURAO ALIAS GOVINDRAO MADDE
VERSUS
THE ASSISTANT CHARITY COMMISSIONER LATUR AND OTHERS**

...
Advocate for Petitioner : Dr. Pansambal Supriya L.
AGP for Respondent Nos. 1 & 2-State : Miss. R.P.Gaur
...

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

DATE : 21.09.2022.

PER COURT :

1. Heard the learned Advocate for the petitioner. The petitioner is coming with following prayer :

“C) By issuing writ of mandamus or any other appropriate writ, order or directions, kindly direct the respondent authorities to appoint the administrator on the respondent No. 3 trust by deciding the application filed by the petitioner.”

2. As regards, the grievance being entertained by the petitioner, when the substantive proceeding under Section 41 D of the Maharashtra Public Trust Act, is already pending before the concerned Assistant or the Deputy Charity Commissioner, no mandamus as is being prayed for appointing the Administrator can be issued. We dispose of the Writ Petition with a request to the learned Assistant Charity Commissioner to decide the application

under Section 41-D of the Maharashtra Public Trust Act, 1950 as early as possible.

(SANDEEP V. MARNE)
JUDGE

(MANGESH S. PATIL)
JUDGE

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