

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5278 OF 2021

Sunil Ramchandra Bhoir

.. Petitioner

Versus

Seva Ashram Shikshan Sanstha Murbe & Ors.

.. Respondents

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- Mr. Anilkumar Patil i/by Mr. Pankaj Pandey & Ms. Seema Pandey for Petitioner
- Mr. Rui Rodrigues a/w Mr. Jainendra Sheth for Respondent Nos. 2 and 3
- Mr. S.D. Rayrikar, AGP for Respondent Nos. 4, 8 and 9

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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 21, 2022

P.C.:

1. Heard Mr. Patil, learned Advocate for Petitioner; Mr. Rodrigues, learned Advocate for Respondent Nos. 2 and 3 and Mr. Rayrikar, learned AGP for Respondent Nos. 4, 8 and 9.

2. The parties have agreed to reconcile their differences by appointing the Petitioner as a Fit Person and submitted Minutes of Order. The Minutes of Order are taken on record and marked “X” for identification. The Minutes of Order are signed by Petitioner, Respondent Nos. 2 and 3 and their respective Advocates. Respondent No. 1 is the Trust which is run by Respondent Nos. 2 and 3.

3. Respondent Nos. 2 and 3 have presented themselves before the Court today and have confirmed giving their no-objection for appointment of Petitioner as a Fit Person of Respondent No. 1 Trust in

addition to the existing fit persons. They confirm having signed the Minutes of Order also. Hence, the following order:-

- (i) The Judgment & Order dated 14.12.2020 passed by the learned Joint Charity Commissioner-I, Maharashtra State, Mumbai in Application No. 243 of 2019 is hereby modified. The Petitioner viz. Sunil Ramchandra Bhoir is appointed as a Fit Person of Respondent No. 1 Trust, in addition to the existing Fit Persons. All the conditions imposed on the existing Fit Persons vide order dated 28.02.2017 passed by learned Joint Charity Commissioner, Greater Mumbai Region, Mumbai in Application No. 70 of 2016 shall also be applicable to the newly appointed Fit Person.
 - (ii) The newly appointed Fit Person shall have the same powers as the existing Fit Persons including the power to sign, as is available to the existing Fit Persons of the Trust.
 - (iii) The present order is being passed in the peculiar facts and circumstances of the instant case, without entering into the merits of the case.
- 4.** Writ Petition is disposed of in terms of the Minutes of Order. No costs.
- 5.** Authorities to act on an authenticated copy of this order.

[MILIND N. JADHAV, J.]