

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1087 OF 2022

(Pratima Sudhirpant Khodaskar and others Vs. Devidasrao Raghobaji Khodaskar and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. R. L. Khapre, Senior Counsel with Mr. D. R. Khapre, Counsel for Petitioners.

Ms. Radhika Bajaj, Counsel for Respondents 1 to 3.

Mr. D. A. Mohgaonkar, Counsel for Respondent 2.

Ms. T. H. Khan, AGP for Respondents 4 & 5/State.

CORAM: ROHIT B. DEO, J.

DATE: 20th APRIL, 2022.

Heard at some length.

2. It would not be necessary to make any reference to the submissions of the rival parties, since the contesting parties are *ad idem* that the following order can be passed by consent.

3. The judgment and order dated 03.02.2022 in Revision Application 11/2019 is quashed, and the matter is remitted to the learned Joint Charity Commissioner.

4. Every contention raised in the petition, and then by the respondent/s in rebuttal, is kept expressly open.

5. The Joint Charity Commissioner shall permit the revisionist to amend the memo of revision and to permit the non-applicants/respondents to file pleadings in rebuttal, and/or additional further affidavit in response as the case may be and to further permit the parties to adduce such oral and documentary evidence as the parties may deem fit.

6. The Joint Charity Commissioner shall decide the revision in a time bound manner, and at any rate, within four months from the date of appearance of the parties.
7. The parties shall appear before the Joint Charity Commissioner on 04.05.2022. No separate notice shall be necessary.
8. Till the decision in the revision, and for a period of ten days thereafter, the Trust shall be administered by a Judicial Officer preferably posted in the Morshi Taluka. The Principal District and Sessions Judge, Amravati shall issue such appointment order within the next ten days.
9. The Administrator shall take charge of the affairs of the Trust immediately.
10. The decision in Change Report 232/2015 shall remain stayed till the disposal of the revision.
11. The petition is disposed of.
12. Parties are act on steno copy.

JUDGE

NSN