

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

FIRST APPEAL NO. 1084/2017

(Prabhunath S/o Gulabrao Raut & ors. Vs. Nirwan S/o Sudam Bansod & ors.)

with

FIRST APPEAL NO. 1085/2017

(Nirwan Sudam Bansod Vs. Prabhunath Gulabrao Raut & anr.)

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

Court's or Judge's orders

Mr. S. P. Kshirsagar, Advocate for applicants/appellants.
Mr. N. Khamborkar, Advocate for respondent Nos. 1 to 5.

CORAM : V. G. BISHT, J.
DATE : 04/04/2022

Heard.

2. According to the learned counsel for the appellants, during the pendency of the present appeal, the election between the original members of the Society has taken place and the change report was filed before the learned Assistant Charity Commissioner and after contesting, the same was allowed and the change was effected in Schedule-I of the Society. In view of this, nothing remains in the appeal and the same deserves to be disposed of.

3. The above submission is contested by the learned counsel for the respondents by submitting that the order passed

by the learned Assistant Charity Commissioner, Nagpur was challenged before the learned Joint Charity Commissioner, Nagpur in Revision Application No. 225/2017 and the said revision application was allowed by the learned Joint Charity Commissioner, Nagpur by an order dated 08.02.2018. The copy of the said order is also filed on record. This position is not disputed by the learned counsel for the appellants.

4. I have gone through the order dated 08.02.2018 passed by the learned Joint Charity Commissioner, Nagpur in revision application No. 225/2017. By the said order, the learned Joint Charity Commissioner, Nagpur was pleased to remand the matter to the lower authority. It is fairly submitted before me that learned Assistant Charity Commissioner, Nagpur is now seized with the matter and therefore, the present appeal can be disposed of by directing the learned Assistant Charity Commissioner, Nagpur to dispose of the matter, pertaining to the change report, within a particular time period.

5. For the aforesaid reasons, I accept the joint prayer of the learned counsel for the parties and direct the learned Assistant Charity Commissioner, Nagpur to dispose of the Change Report Inquiry No. 1237/2015 within a period of four months from the date of receipt of this order.

6. In view of above, first appeal stands disposed of.
Interim application, if any pending, also stands disposed of.

FIRST APPEAL NO. 1085/2017

1. Stand over to 11.04.2022.

[V. G. BISHT, J.]

Gohane

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signed by
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