

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

WRIT PETITION NO.2583 OF 2023

**DR. BABASAHEB AMBEDKAR FOUNDATION TRUST THROUGH ITS
SECRETARY ABHAY UTTAM DHIWAR**

VERSUS

THE JOINT CHARITY COMMISSIONER AND OTHERS

...

Mr. Tukaram M. Venjane, Advocate for Petitioner

Mr. R.B. Bagul, AGP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06th MARCH, 2023

PER COURT :

1. Petitioner by this petition filed under Article 227 of the Constitution of India, challenges order dated 23/09/2022, passed by the Joint Charity Commissioner, Pune, on stay application in Appeal No.19/2022.

2. Having heard learned advocate for petitioner and learned Additional Government Pleader for respondent No.1, this Court is not inclined to entertain the challenge on merit.

3. However, considering the fact that under the orders of this Court change reports were decided by the Assistant Charity Commissioner, Ahmednagar, on 28/10/2021 and pursuant to the orders passed by Assistant Charity Commissioner, change report of respondent Nos. 2 to 17 was rejected and change report of

petitioner was accepted. Accordingly, name of petitioner was taken on P.T.R. and the same is challenged by respondent Nos. 2 to 17 before Joint Charity Commissioner. The order impugned in this petition is passed on 23/09/2022 on stay application. Petitioner can very well approach the said authority seeking vacation of the stay and/or try to get the Appeal No.19/2022 decided on it's own merits.

3. In that view of the matter, respondent No.1 is directed to decide Appeal No.19/2022, within six months from today, after giving opportunity of hearing to all the parties. With these directions, writ petition is disposed of.

(NITIN B. SURYAWANSHI, J.)