

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

39 WRIT PETITION NO.7084 OF 2018

**VIJAY NAMDEORAO TAPARE AND OTHERS
VERSUS
THE JOINT CHARITY COMMISSIONER NASHIK AND OTHERS**

...
Advocate for Petitioners : Mr. Ajay G. Talhar
AGP for Respondent – State : Mrs. G.L. Deshpande

...
WITH

**CIVIL APPLICATION NO.17335 OF 2022
IN WP/7084/2018**

...

**CORAM : SHARMILA U. DESHMUKH, J.
DATE : 02-01-2023**

PER COURT :

. By this petition, petitioners challenge the order dated 17.02.2018 passed by the Joint Charity Commissioner, Nashik in Appeal No.33 of 2015, arising out the judgment and order dated 05.11.2015 passed by Deputy Charity Commissioner, Jalgaon in Change Report No.508 of 2013.

2. Heard the learned counsel appearing for parties.

3. Learned counsel for petitioners submits that the subject matter of the impugned order dated 17.02.2018 was the elections conducted for the period 2013 to 2016. Subsequently,

the elections for the period 2016 to 2019 was conducted by the Trust in which petitioners are elected unopposed and the Change Report has been submitted by petitioners being Application No.419 of 2016. As the present petition is pending, respondent nos.1 and 2 are not deciding Enquiry Application No.419 of 2016.

4. Learned counsel for petitioners further submits that Civil Application No.17335 of 2022 has been preferred seeking a direction to respondent no.2 to decide the Change Report bearing Nos.419 of 2016, 642 of 2019 and 229 of 2022. He would submit that the impugned order was passed in respect of the elections for the period 2013 to 2016 and since subsequent elections for the period 2019 to 2022 and 2022 to 2025 were also conducted and Change Report nos.642 of 2019, 229 of 2022 were also preferred before respondent nos.1 & 2, the Petition can be disposed of with direction to the respondents to consider the subsequent applications.

5. Considering the aforesaid, respondent nos.1 and 2 are directed to consider the Change Report bearing Nos.419 of

2016, 642 of 2019 and 229 of 2022 in accordance with law and without being influenced by the observations made in the order dated 17.02.2018 within a period of four months from today.

6. Writ petition is accordingly disposed of.

7. In view of disposal of writ petition, civil application does not survive and stands disposed of.

(SHARMILA U. DESHMUKH, J.)

GGP