

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

954 WRIT PETITION NO. 13413 OF 2023

SUNDAR DHONDIRAM RATHOD
VERSUS
THE JOINT CHARITY COMMISSIONER LATUR AND ANOTHER

...
Advocate for Petitioner : Mr. Thorat Nanabhau R.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 26th OCTOBER, 2023

PER COURT :

Heard learned counsel for the petitioner.

2. The petitioner is challenging a judgment and order dated 10th May, 2023, passed by Joint Charity Commissioner, Latur, dismissing the Revision and confirming the order dated 11th January, 2023, passed by Assistant Charity Commissioner, Beed.

3. The petitioner claims that Jay Sevalal Vyayamshala va Krida Mandal, registered under the provisions of Societies Registration Act as well as Maharashtra Public Trust Act. The objects of the trust are stipulated on page no. 34 which are duly registered with the office of Assistant Charity Commissioner, Beed. The petitioner sought incorporation of few more objects by submitting application dated 24th November, 2022, which is registered as Miscellaneous Inquiry no. 08 of 2022. By order dated 11th January, 2023, learned Assistant Charity Commissioner, rejected the application by holding that the object

sought to be incorporated are opposed to public policy and prohibited under circular.

4. Being aggrieved, the petitioners preferred Revision No. 39 of 2023 before Joint Charity Commissioner, Latur. By judgment and order dated 10th May, 2023, it is dismissed. Learned counsel submits that all objects are not illegal or prohibited under the circular under question. There are few objects for which the permission could have been granted.

5. Both the authorities below have recorded concurrent findings of facts. I am of the considered view that no case is made out to exercise jurisdiction under Article 227 of the Constitution of India. However, it is clarified that the petitioner can file application for incorporating new objects provided that the objects should not be opposed to any public policy or law or prohibited under any circular or policy of the Government. Presently, I am not interfering with the orders passed by authorities below.

6. The writ petition is disposed of with liberty to the petitioner to file application as stated above.

[SHAILESH P. BRAHME, J.]

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