

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

919 WRIT PETITION NO.11103 OF 2023

SHAIKH WASIM MOHAMMAD SHAFIQUE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for Petitioner :Mr. Abasaheb D. Shinde
AGP for Respondents State: Mr. P. K. Lakhotiya
Advocate for Respondent No.4 : Mr. V. V. Deshmukh

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 6th September, 2023

ORDER:

1. Leave to correct description of Respondent No.2.
2. This Petition has been filed by the Petitioner on a grievance that the Deputy Charity Commissioner (Smt. U. S. Patil) is not passing any order on Application Exh. 14 filed on 16.12.2022.
3. The learned Advocate representing Respondent No.4, who has filed Exh. 14, joins the learned learned Advocate for the Petitioner in contending that an order has to be passed on Exh.14 and it is now almost 10 months that the application is pending. On 02.02.2023, the Advocates for the respective sides advanced their oral submissions and the matter was posted for passing orders on 16.02.2023. Since then the matter has been adjourned and now it is posted to 13.10.2023.

4. Normally, we loathe to pass orders against Presiding Officers/Judges, directing them to decide certain proceeding within a certain timeline. However, in this case, we find that an application under Section 73A of the Maharashtra Public Trusts Act seeking intervention in Enquiry Case No.84 of 2022, is not being subjected to any order. The Petitioner submits that he has already given his no objection to Exhibit-14 and yet an order is not being passed.

5. In view of the above, **this Petition is disposed off** with an expectation that Respondent No.2 would pass an order on the Application Exh. 14, taking into account the say of the contesting parties, on 13th October, 2023 which is the date on which the matter is posted for passing order. We hope that Respondent No.2 would not seek extension of time.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan