



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8451 OF 2023

Dhairyasheel Shivajirao Bhosale

.Petitioner

Vs.

The Joint Charity Commissioner, Kolhapur
Division, Kolhapur & ors.

.Respondents

**WITH
INTERIM APPLICATION NO.14454 OF 2023
IN
WRIT PETITION NO.8451 OF 2023**

Laxman Baburao Hodge & ors.

.Applicants

IN THE MATTER BETWEEN

Dhairyasheel Shivajirao Bhosale

.Petitioner

Vs.

The Joint Charity Commissioner, Kolhapur
Division, Kolhapur & ors.

.Respondents

**WITH
WRIT PETITION NO.9443 OF 2023**

Sandeep Rajaram Magdum & ors.

.Petitioners

Vs.

The Joint Charity Commissioner, Kolhapur
Division, Kolhapur & ors.

.Respondents

**WITH
INTERIM APPLICATION NO.14637 OF 2023
IN
WRIT PETITION NO.9443 OF 2023**

Laxman Baburao Hodge & ors.

.Applicants

IN THE MATTER BETWEEN

Sandeep Rajaram Magdum & ors.

.Petitioners

Vs.

The Joint Charity Commissioner, Kolhapur
Division, Kolhapur & ors.

.Respondents

Mr. Vineet Naik, Senior Advocate a/w. Mr. Sukand Kulkarni, for
the Petitioner in W. P. No. 8451 of 2023

Mr. N. V. Bandiwadekar, Senior Advocate, for Respondent Nos.
2 to 4

Mr. Ashutosh Kulkarni i/b. Mr. Akshay Kulkarni, for the
Petitioners in W. P. No. 9443 of 2023

Mr. Sanjay D. Rayrikar, AGP, for the Respondent No. 1 – State

Mr. Dhananjay Bhosale a/w. Mr. Ashok Janrao i/b. Mr. Sachin
Thorat, Advocate, for the Intervenors in both Petitions

CORAM : MADHAV J. JAMDAR, J.

DATE : 25.09.2023

P. C.

1. These matters were heard on earlier occasions.

2. Mr. Vineet Naik, learned senior counsel appearing for
the Petitioner and Mr. Bandiwadekar, learned senior counsel
appearing for Respondent Nos. 2 to 4 state that if pending
Application bearing No. 1 of 2022 under Section 41D of the
Maharashtra Public Trusts Act, 1950 is directed to be decided
expeditiously then the Writ Petition can be disposed of by passing
the said order and no reasons be assigned for passing such order.

3. The learned Joint Charity Commissioner, Kolhapur Division, Kolhapur is directed to finally hear and decide the pending Application No. 1 of 2022 under Section 41D of the Maharashtra Public Trusts Act, 1950 as expeditiously as possible and in any case, on or before 29.02.2024.

4. The learned Joint Charity Commissioner, Kolhapur Division, Kolhapur is further directed to decide the said Application on its own merits and without being influenced by the *prima facie* observations made in the impugned order dated 24th April 2023 passed below Exh. 81 in the pending 41D Application.

5. It is clarified that this Court has not considered the merits of the matter and all the contentions on merits are expressly kept open.

6. All the parties are directed to co-operate with the Joint Charity Commissioner, Kolhapur Division, Kolhapur in disposing of the said Application No. 1 of 2022 in a time bound manner.

7. The Writ Petition No. 8451 of 2023 is disposed of in above terms with no order as to costs.

8. In view of disposal of the W. P. No. 8451 of 2023, nothing survives for consideration in the I. A. No. 14454 of 2023 and same stands disposed of accordingly.

9. Mr. Kulkarni, learned counsel appearing for the Petitioners in W. P. No. 9443 of 2023, on instructions, seeks withdrawal of the said Writ Petition in view of order dated 25.09.2023 passed in W. P. No. 8451 of 2023.

10. Accordingly, W. P. No. 9443 of 2023 is allowed to be withdrawn and disposed of as such.

11. In view of disposal of the W. P. No. 9443 of 2023, nothing survives for consideration in the I. A. No. 14637 of 2023 and same stands disposed of accordingly.

(MADHAV J. JAMDAR, J.)