

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 66 OF 2019

Shantaram B. Gavade and ors. ...Petitioners

V/s.

Ramchandra A. Mangsule and ors. ...Respondents.

Mr. Prashant R. Suryawanshi i/b Mr. G. M. Savagave for the Petitioners.

Mr. Vikas Kolekar for Respondent Nos.1 to 4.

Ms V.S. Nimbalkar, AGP for Respondent Nos.5 and 6.

CORAM : N.R. BORKAR, J.
DATE : 23.06.2023.

P.C. :

1. The petitioners herein had filed an application under the provisions of Maharashtra Public Trust Act, for registration of a trust before the respondent No.5-The Assistant Charity Commissioner, Sangli.

2. By order dated 5 January 2017, the respondent No.5 has allowed the application filed by the petitioners.

3. The respondent Nos.1 to 4 being aggrieved by the order passed by respondent No.5 had filed the appeal before respondent No.6-The Joint Charity Commissioner, Kolhapur.

4. By the order impugned, the respondent No.6 has allowed the appeal filed by the respondent Nos.1 to 4 and remanded the matter back to the respondent No.5 for fresh enquiry.

5. I have heard the learned counsel for the petitioners and the learned counsel for contesting respondents and perused the impugned order.

6. Perusal of the impugned order shows that similar applications were filed by other devotees including respondent Nos.1 to 4. It is alleged that though the said applications were pending, the respondent No.5 had decided the application of the petitioners' only. Though it is claimed that in other application pursis for withdrawal was filed and the said applications were disposed of, however, it appears from the order impugned that respondent Nos.1 to 4 had disputed filing of any such pursis. Considering the overall facts and circumstances, I am not inclined to entertain the present petition. The Petition is dismissed.

[N.R.BORKAR, J.]