

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 3927 OF 2022

(Vinod s/o Gajanrao Dattatray ..vs.. The Joint Charity Commissioner, Nagpur and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.D. Abhyankar, Counsel for the petitioner,
Mr. S.M. Ukey, Addl.G.P. for respondent 1,
Mr. A.H. Lohiya, Counsel for respondent 2.

**CORAM : ROHIT B. DEO &
Y.G. KHOBRAGADE, JJ.**
DATED : 11-01-2023

The challenge in the petition is to the order dated 14-6-2022 rendered by the Joint Charity Commissioner, Nagpur whereby the application Exhibit 70 purportedly preferred by the petitioner under Section 41E read with Section 41A of the Maharashtra Public Trusts Act is rejected.

2. The application which is rejected by the order impugned is styled as an “application for urgent interim direction”.

3. The prayer clause of the application reads thus :

“a. Direct the non-applicant No.2 not to act upon notice dated 06-6-2022,

b. Direct the non-applicant no.1 not to conduct alleged meeting dated 14-6-2022 as per alleged notice dated 06-6-2022.

c. Grant ad-interim relief in terms of prayer clauses 1 & 2.”

4. It is common ground that the meeting is already held on 14-6-2022.

5. We see no propriety for keeping the petition pending since there is no other relief, except an interim restraint order prayed in the application, which is rejected.

6. Keeping the contentions of the petitioner as regards the propriety of holding the meeting open for adjudication in an appropriate matter, we dismiss the petition.

7. However, in view of the submission that there is no adjudication on Exhibits 23 and 30, which are the applications remanded to the authority by this Court, we request the learned Joint Charity Commissioner, Nagpur to decide the said applications, as expeditiously as possible.

(Y.G. KHOBRADE, J.)

(ROHIT B. DEO, J.)

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