



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

926 WRIT PETITION NO. 1124 OF 2022

RAMESH BABURAO SONAWANE

VERSUS

PITAMBAR TARACHAND KHAIRNAR & OTHERS

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Advocate for the petitioner : Mr.P.D.Bachate

AGP for Respondent-State : Adv.K.R.Jamdhade

Advocate for Respondent no.1 : Mr.Shrikant Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 31.01.2024

P.C. :

1] Heard the learned counsel for the parties.

2] The present petition is filed challenging the judgment and order dated 30.12.2021 passed by Joint Charity Commissioner, Nashik Region, Nashik whereby appeal filed by the respondent is allowed.

3] The learned counsel for the petitioner submits that the impugned order is passed by the Joint Charity Commissioner without giving an opportunity of hearing to the petitioner. The learned counsel for the petitioner submits that considering the said fact, the present petition may be allowed by remanding the matter back to the Joint Charity Commissioner.

4] The learned counsel for the respondents has not been able to controvert the above submissions of the petitioner.

5] In view of the same, the impugned judgment and order dated 30.12.2021 passed by Joint Charity Commissioner, Nashik Region, Nashik in Appeal No.62 of 2021 is quashed and set aside. The matter is remanded back to the Joint Charity Commissioner, Nashik. The Joint Charity Commissioner is directed to decide the Appeal No.62 of 2021 in accordance with law, after hearing all the parties. All the contentions of the parties are left open.

6] Since the petition is pending for long period of time, the Joint Charity Commissioner may endeavour to decide the aforesaid appeal, as expeditiously as possible. The parties to appear before the Joint Charity Commissioner on 12.02.2024 so as to enable the Joint Charity Commissioner to fix the matter for hearing.

7] The learned AGP to intimate this order to the Joint Charity Commissioner.

8] Writ Petition is disposed of accordingly.

[ARUN R. PEDNEKER]
JUDGE