



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

917 WRIT PETITION NO. 2261 OF 2024

GULABDAS NANDU CHAVAN

VERSUS

ASSISTANT CHARITY COMMISSIONER AND ANOTHER

...

Shri V.D. Sapkal, Senior Advocate i/by Shri Sapkal Sandip R.
and Shri Onkar R. Waghule, Advocates for the Petitioner.

Shri S.B. Narwade, AGP for the Respondents/State.

Shri N.B. Khandare i/by Shri M.B. Kolpe, Advocates for
Respondent 2.

...

AND

963 WRIT PETITION NO. 2322 OF 2024

SADASHIV GULABDAS CHAVAN AND OTHERS

VERSUS

ASSISTANT CHARITY COMMISSIONER AND OTHERS

...

Shri Prashant R. Nangare, Advocate for the Petitioners.

Shri S.B. Narwade, AGP for the Respondents/State.

Shri N.B. Khandare i/by Shri M.B. Kolpe, Advocates for
Respondent 3.

...

CORAM : RAVINDRA V. GHUGE

&

R.M. JOSHI, JJ.

DATE :- 13th March, 2024

Per Court :-

1. We have considered the submissions of the learned
Senior Advocate along with the learned Advocate on behalf of

the Petitioners and the learned Advocates on behalf of the Respondents. With their assistance, we have gone through the petition paper book.

2. Considering that this order is being passed by consent of the parties, as the appeals are pending against rejection of all the change report enquiries by the Assistant Charity Commissioner, Dharashiv, that we are not recording the entire contentions of the learned Advocates. Suffice it to say that the grounds raised in these petitions are kept open to be considered in appropriate proceedings.

3. Since all the change report enquiry cases have been rejected by the judgment dated 13.02.2024 and since the appeals are now being heard from 18.03.2024, the parties consent that after the appeals are decided on their merits within a particular time line, the elections can be held subject to the directions/ conclusions that may emerge from the judgment of the Appellate Court. We accordingly modify the impugned order to the extent of holding elections within 30 days, by consent of the parties. All the remedies available to the parties, after the Appellate Authority delivers it's judgment in the appeals, are kept open.

4. The parties would extend wholehearted cooperation to the Appellate Authority for an early decision in the pending appeals, preferably on or before 31.05.2024. By consent of the parties, we record that the Appellate Authority will also consider the requests of the parties, by consent, for issuing appropriate directions for conducting elections to the Trust.

5. Needless to state, the Administrator presently appointed would administer the Trust strictly within the contours of the Maharashtra Public Trusts Act, till the disposal of the appeals.

6. With the above directions, **these Writ Petitions are disposed off.**

kps (R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)