



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

901 WRIT PETITION NO. 13960 OF 2023

SHAIKH RASHID SHAIKH MAQDUM AND ANOTHER
VERSUS
MOHD KHUDBODDIN MUNNAWAR SHARIFULLA KHAN NIZAMI
AND ANOTHER

...
Advocate for the Petitioner : Mr. Kadam Vikram S.
Advocate for Respondent No.1 : Mr. V. D. Gunale
...

CORAM : ARUN R. PEDNEKER, J.

Dated : February 07, 2024

PER COURT :-

1. Heard the learned Advocate appearing on behalf of the respective parties.
2. The parties are ad-idem that the term of the earlier committee has expired, and thereafter, election has taken place and therefore any adjudication as regards the validity of the election of the earlier committee would be a futile exercise as the earlier managing committee cannot be restored after expiry of its term.
3. The learned Advocate appearing on behalf of the petitioner submits that disposal of this petition would affect the rights of the members enrolled by the earlier as well as the new managing committee.

4. Leaving the issue of membership open to be adjudicated before the appropriate Court, the present petition is disposed of as the earlier committee's term has expired and the petition is rendered infructuous. However, disposal of this petition would not come in the way of any authority while deciding the cases of membership pending before them and the same to be decided without being influenced by the order of this Court.

5. The proceeding pending before the Joint Charity Commissioner to adjudicate the claim of the present managing committee would also be decided by the said authority without being prejudiced by the disposal of the present Writ Petition.

6. In view of the above, the writ petition is disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.