



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 8912 OF 2024

GANPAT PUNA RATHOD AND OTHERS
VERSUS
ASSISTANT CHARIY COMMISSIONER AND OTHERS

...
Advocate for the Petitioner : Mr. Murge Estling S.
AGP for Respondents 1 & 2 : Mrs. Mansi Ghanekar
Advocate for Respondent 3 : Mr. A.S. More
...

CORAM : ARUN R. PEDNEKER, J.

Dated : September 04, 2024

PER COURT :-

1. Heard the learned counsel for the parties.
2. The Joint Charity Commissioner, Latur Region, Latur (for short 'Jt.C.C.') has decided the Revision under section 70-A of the Maharashtra Public Trust Act, 1950 bearing No. 43/2024 vide order dated 12.4.2024 and quashed and set aside the the judgment and order dated 25.8.2023 passed by the Assistant Charity Commissioner, Osmanabad (for short 'A.C.C.') in Change Report Enquiry No. 365/2022.
3. The learned counsel for the petitioners submits that the petitioners were made party in the the Change Report Enquiry No. 365/2022 before Asst. Charity Commissioner, Osmanabad and that they were objectors, but they were not made party before the Jt.C.C. and without making them party, the proceedings before the Jt.C.C. were conducted. The learned counsel for the petitioner submits that they are adversely affected by the impugned order and they ought to have made party to the proceedings

before the Jt.C.C. Hence, the present writ petition is filed challenging the impugned order passed by the Jt.C.C., Latur.

4. From the record, it appears that the petitioners were made party before the A.C.C. and they should have been made party before the Jt.C.C. In view of the above, the impugned order dated 12.4.2024 passed by the Jt.C.C., Latur in Revision No. 43/2024 filed under section 70-A of the Maharashtra Public Trust Act, 1950 is quashed and set aside. The matter is remitted back to the Jt.C.C. for deciding afresh. The respondents herein shall add the present petitioners as party respondents to the proceedings filed before the Jt.C.C., Latur. The Jt.C.C., Latur, thereafter shall give opportunity of hearing to the petitioners herein and decide the proceeding under section 70-A initiated by the present respondents in accordance with law.

5. With the above observations, the writ petition stands allowed and disposed of.

(ARUN R. PEDNEKER, J.)

ssc/