



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

20 WRIT PETITION NO. 15086 OF 2023

GOVINDRAO ABHANRAO MUTKULE AND OTHERS

VERSUS

RAJARAM LODJI MUTKULE AND OTHERS

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Advocate for the petitioners : Adv.S.S.Tope

AGP for Respondent-State : Mr.V.M.Chate

Advocate for Respondent nos.1 to 6 : Mr.S.V.Warad.

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CORAM : ARUN R. PEDNEKER, J.

DATE : 12.02.2024

P.C. :

1] Heard the learned counsel for the parties.

2] The Joint Charity Commissioner has pointed out various deficiencies while accepting the provisional change report nos. 282/2021 and 283/2021. The Joint Charity Commissioner has thus directed that the respondents shall only conduct day to day affairs of the trust and shall not take policy decision, till disposal of the matter on merits. Further direction is given by the Joint Charity Commissioner to the Assistant Charity Commissioner to decide the pending change reports expeditiously within a period of three months from the date of order.

3] The learned counsel for the petitioners submits

that although the order is passed on 9th November, 2023, the Assistant Charity Commissioner has not decided the pending change reports even after lapse of three months. Not even the matter is fixed for argument by the Assistant Charity Commissioner and the respondents are continuing to conduct day to day affairs of the trust. While passing the order dated 9th November, 2023, the Joint Charity Commissioner has pointed out various deficiencies as regards election of the respondents. The learned counsel for the petitioners further submits that the Assistant Charity Commissioner has not issued notice to the petitioners to appear in the matter.

4] The learned counsel for the respondents submits that the matter is fixed for hearing before the Assistant Charity Commissioner, however, the petitioners have not appeared before the Charity Commissioner.

5] In view of the submission made, the parties are directed to remain present before the office of the Assistant Charity Commissioner on 22nd February, 2024, so as to enable the Assistant Charity Commissioner to fix the matter for further hearing. The Assistant Charity Commissioner is directed to decide the change report nos. 282/2021 and 283/2021 within a period two months from the date of production of order of this Court.

6] The learned AGP to communicate this order to the concerned authority.

7] With the above observations, the present Writ Petition is disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC