

the Deputy Charity Commissioner, Kolhapur. The said order was challenged by the petitioner in this Court by filing Writ Petition No. 3793 of 2017. By order dated 20th April 2017, writ petition was disposed of. The relevant directions in the said order in paragraph 3, reads as under:

“ 3. Mr. Talashikar states that the petitioner will produce the documents as ordered by the Deputy Charity Commissioner, Kolhapur Region, Kolhapur vide order dated 29.9.2016 before him on the next date of hearing. As the petitioner is ready and willing to produce the record as per order dated 29.9.2016 before the Deputy Charity Commissioner, Kolhapur Region, Kolhapur on the next date of hearing, the order dated 9.3.2017 appointing Inspector to take custody of those documents stands dissolved. It is made clear that if the petitioner does not produce the documents on the next date of hearing before the Deputy Charity Commissioner, Kolhapur Region, Kolhapur, the order dated 9.3.2017 shall stand revived without further reference to the Court. Writ Petition stands disposed of in aforesaid terms. Order accordingly.”

3. The petitioner had filed review petition after the said order. However, review petition was dismissed on 27th July 2017. Learned counsel for respondent no.3, submits that thereafter, petitioner approached the Hon'ble Supreme Court. However, the SLP filed by the petitioner is dismissed on 20th November 2017.

4. I do not see any error or any illegality in the impugned order. However, since the learned advocate for the petitioner seeks time to take instructions whether the petitioner would comply with the directions issued in order dated 29th September 2016, further directions in this petition are deferred till 26th March 2024. The petitioner shall file affidavit-cum-undertaking, stating the date for compliance of the directions issued in order dated 29th September 2016. The affidavit-cum-undertaking to be produced on 26th March 2024.

5. It is clarified that if such affidavit-cum-undertaking is not filed, further orders will be passed in this petition.”

2. Learned counsel for the petitioners has placed on record affidavit-cum-undertaking dated 26th March 2024 affirmed by one Deepak Rangrao Powar.

3. Affidavit-cum-undertaking is taken on record. It is signed by Deepak Rangrao Powar claiming to be existing Chairman of the petitioner Trust. The statement made in the affidavit cum undertaking is accepted as an undertaking to this court.

4. In view of the affidavit-cum-undertaking stating that the directions issued in order dated 29th September 2016 passed by the Deputy Charity Commissioner, Kolhapur Division, Kolhapur below Exhibit 4 shall be complied with and documents will be produced before the Deputy Charity Commissioner within three weeks from today, the petition is disposed of by passing following order :

- (i) Subject to compliance as stated in the Affidavit-Cum-Undertaking dated 26th March 2024, the Change Report No. 430 of 2016 pending before the Deputy Charity Commissioner, Kolhapur Division be heard and disposed of in accordance with law.

(ii) It is clarified that if affidavit-cum-undertaking is not complied with, the Change Report No. 430 of 2016 will stand rejected.

(iii) Writ Petition is disposed of in the above terms.

[GAURI GODSE, J.]