

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.14066 OF 2018

Martand Devsthan Trust, Karad & Ors. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. P.B. Shah with Mr. Gunjan Shah i/by Mr. K.P. Shah
for the petitioners.

Mr. S.D. Rayrikar, AGP for respondent Nos.1 to 3/State.

Mr. Manoj Patil for respondent Nos.4 to 8.

CORAM : AMIT BORKAR, J.

DATED : APRIL 2, 2024

P.C.:

1. The matter is listed for speaking to the minutes of order dated 19 March 2024.

a) In the order, the reference to “Section 41B” at some places be corrected to read “Section 41D”;

b) In the second sentence of paragraph 2, the words “before holding an inquiry” be substituted with “before taking an action”;

c) The last sentence of paragraph 5 be corrected to read “However, while taking an action under Section 41D, it is not necessary for the Charity Commissioner to conduct audit and

then proceed to take action under Section 41D of the said Act.”

d) In the second line of paragraph 6, the reference to “petitioners” be corrected to read “respondent Nos.4 to 8”; and

e) Paragraph 6(a) be substituted with the following: “The impugned order is modified to the extent it directs conducting audit before taking an action under Section 41D;”

2. Original order dated 19 March 2024 be modified accordingly and upload the same as order No.2 in this matter.

(AMIT BORKAR, J.)