



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10569 OF 2024

Pandurang Baburao Khot and Others. ...Petitioners.

Versus

Ld. Joint Charity Commissioner
and Others. ...Respondents.

*Mr. Umesh H. Pawar and Mr. Sagar R. Sonawane for the Petitioner.
Ms. Gauri Jadhav and Mr. J. P. Patil, AGP for the Respondent-State.*

Coram : Sharmila U. Deshmukh, J.

Date : December 20, 2024.

P. C. :

1. Heard.
2. By this Petition, the challenge is to the order dated 15th February 2024 passed by the Deputy Charity Commissioner rejecting the Revision Application filed by the Petitioner against the order of 27th September 2019 accepting the Change Report No.1774 of 2018.
3. Learned Counsel appearing for the Petitioner would submit that by the said Change Report, change reported was that the Petitioner's name be deleted on the ground that he has tendered resignation in the meeting of board of trustees held on 15th October 2017 and appointment of two new trustees. He submits that it was necessary for the incoming trustee to be first members of the trust as per the constitution of trust and there is nothing on record to demonstrate

that they were inducted as members of the trust before they were appointed as trustees. He would further submit that the affidavit tendered before the Deputy Charity Commissioner which is alleged to be the affidavit of Petitioner, states that in the general body meeting held on 29th September 2017, the name of petitioner has been deleted as trustee about which he has no complaint. He would further point out the resolution of board of trustees meeting, and Resolution No.3, resolving that the resignation of Petitioner and one more trustee has been accepted and two new trustees have been inducted. He submits that there is no reference to the general body meeting of 29th September 2017, which creates doubt about the genuineness of the said Change Report.

4. Issue notice to the Respondents returnable on **17th January, 2025**. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date.

5. Learned AGP waives notice on behalf of the Respondent No. 1 and 2.

[Sharmila U. Deshmukh, J.]