

S.R.JOSHI

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

WRIT PETITION NO.5598 OF 2024

Shri Ajaykumar S. Yadav
& Others

... Petitioners

Versus

The State of Maharashtra
& Others

... Respondents

Mr. V. V. Tapkir i/b. Mr. Pratik Sabrad and Mr. Amey C. Sawant, for the
Petitioners.

Ms. Shruti D. Vyas, Addl. G. P. with Mr. Sachin Kankal, AGP, for the
Respondent-State.

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CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 12th APRIL, 2024

P.C.

Not on board. Mentioned. Upon mentioning, taken on
production board.

Heard learned Counsel for the parties.

2 This Petition under Article 226 of the Constitution of India, prays
for the only substantive relief in terms of prayer clause (a), which reads as
under:-

*“(a) by an appropriate, writ order or direction of this
Hon’ble Court, this Hon’ble Court be pleased to direct
Respondent No.2 to take steps for accepting the change
report dated 15.01.2024 filed by Petitioners pursuant to
election results of Yadav Sang, Mumbai declared on
08.01.2024, by the Respondent No.3, within period of
two weeks.”*

3 Thus the only direction in this Petition is that Respondent No.2
be directed to decide the change report of the Petitioners, which is stated to be
pending. Such change report pertains to 15th January, 2024.

4 In the facts and circumstances of the case, we are of the opinion
that the Petitioner be permitted to set out urgency before Respondent No.2-
Assistant Charity Commissioner who shall consider the order of priority to be
given to the said proceedings and in accordance with law.

5 Let such application be moved by the Petitioners before
Respondent No.2 within a period of ten days from today. If such an
application is made, the learned Assistant Charity Commissioner shall take
appropriate view of the matter on the adjudication of the change report.

6 All contentions of the parties are expressly kept open.

7 Writ Petition is disposed of. No costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)