

VRJ

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

WRIT PETITION NO.11665 OF 2018

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Kishor Anant Vaidya

... Petitioner

V/s.

Abhay Dadhe & Anr.

... Respondents

WITH

WRIT PETITION NO.11945 OF 2018

Bhaskar Narhar Kulkarni & Ors.

... Petitioners

V/s.

Abhay Dadhe & Anr.

... Respondents

Mr. Sandeep S. Jinsiwale for the petitioner in
WP/11665/2018.

Mr. Vasant Dhawan for the petitioner in
WP/11945/2018.

Mr. S. D. Rayrikar, AGP for the State.

CORAM : AMIT BORKAR, J.

DATED : APRIL 15, 2024

P.C.:

1. The writ petitions challenge the order passed by the Joint Charity Commissioner to Maharashtra State, Mumbai in Appeal No.559 of 2017 in exercise of power under section 70 of the Maharashtra Public Trusts Act, 1950 arising out of proceeding under section 22 of the Maharashtra Public Trusts Act, 1950 bearing Change Report No.56 of 2014.

2. Undisputedly, the period of managing committee governing change report was 2014 to 2018.
3. Learned advocates for the petitioners, on instructions, state that there are no allegations of forgery or misappropriation nor they have taken any major policy decision regarding transfer of trust property. Therefore, in view of judgment of Coordinate Bench of this Court in **Jagatnarayansingh Swarupsingh Chithere & Ors. vs. Swarupsingh Education Society & Anr.** reported in 1980 Mh.L.J. 372, the issue involved in the writ petitions has become academic. Hence, there is no need to consider validity of change report for period 2014 to 2018.
4. Hence, the impugned order passed by the Joint Charity Commissioner-II, Maharashtra State, Mumbai dated 15 June 2018 is quashed and set aside.
5. The writ petitions stand disposed of. No costs.

(AMIT BORKAR, J.)