



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3397/2023

Suresh Marotrao Undre and Ors. Vs. Sau. Lalita Sureshrao Undre.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. S. Dhore, Advocate for petitioners.
Mr. S. M. Vaishnav, Advocate for respondent.

CORAM : ANIL L. PANSARE, J.

DATE : 15.07.2024

Heard.

2. The challenge is to the order dated 27.01.2023 passed by learned District Judge – 3, Amravati Civil Misc. Application No.88/2014. The learned District Judge has remanded the Change Report No.675/2007 back to the Deputy Charity Commissioner, Amravati to decide the same afresh. The inquiry has been remanded on the ground put forth by respondent that her signatures have been forged by the reporting trustee (petitioner No.1, who is also husband of the respondent). The respondent could not raise this ground before the Deputy Charity Commissioner. She raised this ground for the first time before the Joint Charity Commissioner.

3. The District Judge – 3, Amravati was of the view that the issue of forged signatures will go to the root of the matter because the forged signature has been allegedly made on the notice purportedly issued by the respondent calling the meetings for election.

4. In that view of the matter, District Judge – 3, Amravati found it necessary to remand the matter back to the Deputy Charity Commissioner.

5. I do not find that learned District Judge has travelled beyond the jurisdiction or has failed to exercise the jurisdiction in doing so. Therefore, no interference is called under Article 227 of the Constitution of India.

6. The petition is accordingly dismissed. No order as to costs.

(Anil L. Pansare, J.)

Kahale