



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

WRIT PETITION NO. 4783 OF 2024

(Shekh Kalim Shekh Sharfu vs. The Assistant Charity Commissioner, Amravati Region and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. S.M.Vaishnav, Advocate for the petitioner.

Mr. S.M.Ukey, Additional Government Pleader for the respondent No.1.

Mr. N.S.Bhelkar, Advocate for respondent Nos.2 and 3.

CORAM : BHARATI DANGRE AND ABHAY J. MANTRI, JJ.

DATE : OCTOBER 07, 2024

The challenge is raised by the petitioner to the order passed by the Assistant Charity Commissioner in Inquiry No.23/2023 on 02/07/2024 and the relief sought in the petition is to set aside the order.

2) The learned Counsel appearing for caveator respondent Nos.2 and 3 has placed before us the election program for the conduct of the election of Gulista Welfare Society, Morshi, District Amravati, and according to the said program, the final voters' list has been published on 04/10/2024 and the election is scheduled on 21/10/2024.

3) Mr.Vaishnav, learned Counsel for the petitioner is aggrieved since several voters are permitted to participate in the election process, but on perusal of the impugned order we have noted that the Assistant Charity Commissioner has taken cognizance of the grievance, by recording that inquiry was restricted only to the affairs of the management of the trust and

since no elections had taken place for the last 7 to 8 years, he deemed it necessary to conduct the elections.

As far as the dispute in respect of the number of voters entitled to vote is concerned, he held that the concern Inspector shall take into consideration these objections and proceed with conduct of the election.

4) Though learned Counsel Mr.Vaishnav make a grievance that 34 members are held entitled to vote instead of 19, we are unable to redress his grievance since the impugned order do not deal with the same.

5) In any case, in all fairness Mr.Vaishnav, submit that he has no objection for conduct of election.

With the above observation the writ petition is disposed off.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)

KOLHE