



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2463 OF 2024 IN
WRIT PETITION NO. 1605 OF 2024 WITH
WRIT PETITION NO. 1605 OF 2024

Kalyan Tatyabhau Pokale .. Applicant

versus

The State of Maharashtra & others .. Respondents

Mr. B. V. Thombre, Advocate for the Applicant.

Mr. N. L. Jadhav, Advocate for Respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 28th FEBRUARY, 2025.

PER COURT :

1. This application is filed by the applicant seeking intervention in this petition.

2. Learned counsel for Petitioner records no objection for joining application is Respondent.

3. Hence, application stands allowed in terms of prayer clause 'B'. Amendment be carried out forthwith.

4. Accordingly amendment is duly carried out. It is thereafter counsels for both sides are heard. During the hearing of

main petition, issue arose as to whether Petition is maintainable before the Single Judge.

5. There is no dispute about the fact that order impugned is passed under Section 41-A of Maharashtra Public Trust Act. Undeniably it is an administrative order.

6. In view of the judgment of the coordinate bench of this Court in case of Damodar Jairam Sao vs. Deputy Charity Commissioner, Nagpur, 2011(6) Mh.L.J. 431 and Vanmala Manoharrao Kamdi and others vs. Deputy Charity Commissioner, Nagpur and others, 2012(3) Mh.L.J. 594, the challenge to the impugned order is not maintainable before Single Judge.

7. Hence, remove from the board. Registry to place this petition before the appropriate Court. Interim relief is continued for the period of two weeks from today.

(R. M. JOSHI)
Judge