

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 555 OF 2025

Diliprao Mohanrao Jadhav

VERSUS

Mohanrao Manikrao Patil

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Advocate for the Petitioner : Mr. S.V. Warad h/f Mr. Kedar Warad

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : AUGUST 01, 2025

PER COURT :-

1. Heard Mr. Warad, learned advocate appearing for petitioner.

2. The petitioner alleges that respondent nos.2 to 11 have committed willful disobedience of judgment and order dated 11.12.2023 passed by this Court in Writ Petition No.13983 of 2023. Perusal of order passed by this Court would show that learned Joint Charity Commissioner, Aurangabad had vacated interim relief granted in Appeal No.07 of 2023 by order dated 11.09.2023. This Court restored interim relief by setting aside order dated 11.09.2023 passed below Exhibit-2 in Appeal No.07 of 2023. The effect of aforesaid order is that respondent nos.2 to 11 were restrained from taking policy decision in the matter of administration of trust.

3. Mr. Warad endeavours to point out that statutory audits in respect of trust are submitted wherein incorrect information regarding trustees is given. According to him, the aforesaid act of

auditor and trustees is in contravention of directions given by this Court.

4. It is difficult to countenance with aforesaid argument. The auditor is an independent authority and carries obligation in terms of Maharashtra Public Trust Rules. If the auditor has given incorrect information in his report, it may be a matter of independent action. However, this cannot be linked with order passed by this Court. The petitioner would be at liberty to take recourse to independent remedies under law against aforesaid action of auditor or violation by respondent nos.2 to 11. However, there is nothing to depict that respondent nos.2 to 11 have violated order of this Court dated 11.12.2023 passed in Writ Petition No.13983 of 2023.

5. At this stage, Mr. Warad submits that petitioner has already raised his grievance before Joint Charity Commissioner in Appeal No.120 of 2024 at Exhibit 33. The petitioner would be at liberty to pursue his remedy without impeded by this order.

6. In that view of matter, contempt petition stands disposed of with aforesaid liberty.

(S.G. CHAPALGAONKAR, J.)