



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

910 WRIT PETITION NO. 9431 OF 2025

SAYYAD MUNIRODDIN GULAM NABI

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...

Mr. Shaikh Shakeel Advocate h/f. Mr. Y.M. Khan Advocate for
Petitioner.

Mr. S.B. Narwade, A.G.P. for Resp. Nos. 1 to 5.

Ms. A.N. Ansari Advocate for Respondent Nos. 7 and 8.

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CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 28th NOVEMBER, 2025

ORDER :

1. The present Petition has been filed for challenge to the approval granted by respondent No.5 to the appointment of respondent Nos.7 and 8. The petitioner contends that he is the chairman of the managing committee of Madarse Madinatul Uloom, Nanded and the appointment of respondent Nos.7 and 8 is stated to be without following due procedure of law and the approval which came to be granted by letter dated 26th December 2024, would be then not as per the provisions of law.

It is then also stated that the change reports of the rival groups are pending. Though by order dated 2nd January 2024, the learned Assistant Charity Commissioner, Nanded Region has provisionally accepted the change report of the rival group, yet when the appointments itself are not as per the procedure of law, according to the petitioner, those appointments ought not to have been approved.

2. Learned Advocate for the petitioner relies on the inquiry that was conducted on the basis of complaint filed by one Shri Shaikh Abdulla Shaikh Chotemiya. He then relies on the observations and then the minutes of the meeting signed by director of Education, wherein it has been observed as to how the procedure has not been adhered to while appointing respondent Nos.7 and 8.

3. Caveat has been filed by respondent Nos. 7 and 8.

4. Here the first and foremost question is in respect of the locus of the present petitioner. He is still claiming himself to be the chairman of the managing committee when in fact as per the order dated 2nd January 2024, the change report filed by the other group appears to have been provisionally accepted.

Pendency of his change reports will not entitle him for taking objection. The proposal for the approval for the appointment of respondent Nos.7 and 8 appears to have been forwarded to the Education Officer (Secondary) on 21st August 2024 i.e. by the committee whose change report has been provisionally accepted by the learned Assistant Charity Commissioner. We cannot go into the other aspects of dispute but certainly to the extent that now when the proposal appears to have been submitted by a permitted body, then the petitioner cannot object it now. We, therefore, find no merit in the present Petition.

5. The Writ Petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/NOV25