



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7036 OF 2025

**SUBHASH SINH SHANTILAL JAMADAR AND OTHERS
VERSUS
ASSISTANT CHARITY COMMISSIONER DHULE AND OTHERS**

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Mr. Sanket N. Suryawanshi, Advocate for the Petitioners.

Mr. K. B. Jadhavar, AGP for Respondents-State.

Mr. V. D. Sapkal, Senior Advocate i/by Mr. S. R. Sapkal a/w Yash A. Jadhav, Advocate for Respondent No.4.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 07th JULY, 2025.**

P.C.:-

1. The petitioners raises challenge to order dated 21.04.2025 passed by learned Assistant Charity Commissioner, Dhule in Regular Inquiry Application No.193/2024, by which prayer of petitioners for adding them as party has been declined.

2. Mr. Suryawanshi, learned Advocate appearing for petitioners submits that petitioners are trustees and interested persons. They are life members of Trust. The respondents have filed change report regarding appointment of new Committee for period from 2023 to 2028 based on false and fabricated record. The presence of petitioners would be necessary for adjudication of validity of change report and consequential enquiry initiated by learned Assistant Charity Commissioner, however, learned Assistant

Charity Commissioner rejected their applications observing that petitioners cannot be termed as interested persons.

3. Per contra, Mr. Sapkal, learned Senior Advocate appearing for respondent supports impugned order.

4. Having considered submissions advanced and on perusal of record tendered before this Court, it can be observed that in Enquiry No.685/2021 petitioners have filed affidavit Exhibit-12, wherein stipulation is made that they have resigned from the membership of Trust. Petitioners appears to have filed application for adding them as party, although they are ceased to be members of Trust. There is nothing on record to indicate how they are interested persons, once they voluntarily tendered resignations and that has been duly accepted.

5. The enquiry before Assistant Charity Commissioner is regarding acceptance of change report pertaining to appointment of Trustees for the period from 2023 to 2028. Since petitioners have already resigned from memberships of Trust, they cannot be termed as interested persons. The learned Assistant Charity Commissioner after considering entire record relating to Enquiry No.685/2021, wherein resignation of petitioners was endorsed, concluded that petitioners cannot be added as respondents in present enquiry.

6. The decision rendered by Assistant Charity Commissioner is in tune with record and legal position. Therefore, no jurisdictional error can be made out from impugned order.

7. In result, Writ Petition sans merit. Hence, stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/July-2025