



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

964 WRIT PETITION NO. 6756 OF 2025

**SHIVAJI GAJARAM BHAGAT AND ANOTHER
VERSUS
THE DEPUTY CHARITY COMMISSIONER
AJILYANAGAR AND OTHERS**

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Advocate for the petitioner : Mr.S.S.Jadhavar
AGP for Respondent-State : Mr.D.R.Korade
Advocate for Respondent nos. 3 to 5 : Mr.A.S.Gandhi
Advocate for Respondent nos.2, 8 to 10 : Mr.V.V.Tarde

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CORAM : ARUN R. PEDNEKER, J.

DATE : 03.12.2025

P.C. :

1] Heard the learned counsel for the petitioners and the learned counsel for the respondents.

2] The learned counsel for the petitioners submits that as per clause 8 of the scheme of the trust, 11 posts of trustees shall be filled in by selection process. Out of 11 posts of trustees, 4 trustees shall be from family of Bhagat i.e. the Priest and 7 trustees shall be from the villagers of village Manjari. He further submits that by the impugned

order dated 02.05.2025, the Deputy Charity Commissioner has appointed 9 trustees. It is observed in the impugned order that two posts of trustees are kept vacant as duly eligible candidates are not available from Bhagat family. He further submits that the Deputy Charity Commissioner has not assigned any valid reason for keeping two posts of trustees vacant from Bhagat family when duly eligible candidates such as petitioners are available for selection and appointment as the trustees, as such, the case of the petitioner ought to have been considered.

3] Parties agree to remit the matter back. Considering the same, without disturbing the order of appointment of other trustees, the matter is remitted back to the Deputy Charity Commissioner, Ahilyanagar to consider the case of the present petitioners and other family members of the Bhagat family to appoint remaining two posts of trustees. The Deputy Charity Commissioner to consider the case of the present petitioners and fill in remaining two posts of trustees considering suitability of the

petitioners and other family members of Bhagat family of which the applications are already before the Charity Commissioner.

4] The Writ Petition is disposed of with above directions.

[ARUN R. PEDNEKER]
JUDGE

DDC