

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8340 OF 2025

Datta Rangrao Sontakke

VERSUS

Nandikeshwar Shivacharya Maharaj And Others

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Advocate for the Petitioner : Mr. Chillarge Subhash S.

Advocate for Respondent Nos.1, 2, 6 & 7 : Mr. Gadhe Ganesh Asaram

Advocate for Respondent Nos.3, 4 & 8 : Mr. H.B. Nandagavale

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : AUGUST 13, 2025

PER COURT :-

1. Present writ petition takes exception to order dated 26.06.2025 passed by learned Joint Charity Commissioner, Nanded in Appeal No.114 of 2024, by which application filed by petitioner below Exhibit-48 for intervention has been rejected.

2. Mr. Chillarge, learned advocate appearing for petitioner submits that the petitioner is incoming member of trust and on 27.02.2023, the provisional change report is accepted in Inquiry No.31 of 2023 wherein the Executive Committee is constituted for the society. Therefore, according to him, he was necessary party for adjudication of appeal.

3. Per contra, Mr. Gadhe, learned advocate appearing for respondents points out that petitioner acquired membership of trust on 21.11.2022. The dispute in appeal is pertaining to Inquiry No.865 of 2020 which was decided by learned Assistant Charity

Commissioner on 03.03.2022. The appeal there against is filed before Joint Charity Commissioner which was initially numbered as Appeal No.07 of 2023, presently it is numbered as Appeal No.114 of 2024. Mr. Gadhe would therefore urge that petitioner cannot have any concern so far as Inquiry No.865 of 2020 and the appeal arising therefore.

4. Perusal of impugned order shows that learned Joint Charity Commissioner rejected request of petitioner seeking intervention observing that the petitioner is not legal and valid member of trust as per Section 2 (10)(d) of the Maharashtra Public Trust Act and, therefore, his involvement is not necessary for proceeding of appeal. Apparently, the reason adopted by the learned Joint Charity Commissioner is in tune with legal position. Although petitioner has subsequently become member of trust, the dispute under appeal pertains to change report that was submitted prior to acquisition of membership by the petitioner.

5. In that view of matter, there is no merit in writ petition. Hence, writ petition stands rejected.

(S.G. CHAPALGAONKAR, J.)