

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
REVIEW PETITION NO.136 OF 2025
IN
WRIT PETITION NO.1996 OF 2025**

Radhakrishnan Gensindha Bandgar,
Age: 31 years, Occu.: Agriculture,
R/o: Yatnal, Taluka South Solapur,
District Solapur.

..Petitioner

Versus

1. Shrishaillya Sidharamaya Swami,
Age: 66 years, Occu: Agriculture,
R/o: Yatnal, Taluka South Solapur,
District Solapur.
2. Kalappa Sharnappa Ambalgi,
Age: 51 years, Occu: Agriculture,
R/o: As above.
3. Mahaiappa Birsappa Shendge,
Age: 76 years, Occu: Agriculture,
R/o: As above.
4. The Assistant Charity Commissioner,
Near Civil Hospital, Nath Pride,
Solapur, District Solapur.

..Respondents

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Mr. Santosh Jadhavar i/by Mr. Chaitanya Khade, Advocate for
Petitioner.

Mr. Ashutosh M. Kulkarni i/by Mr. Akshay Kulkarni, Advocate for
respondents.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 19th DECEMBER, 2025.**

FINAL ORDER:-

1. The petitioner seeks review of judgment and order dated 17.10.2025 passed by this Court in Writ Petition No.1996/2025, whereby order dated 10.01.2025 passed by Joint Charity Commissioner, Pune in Revision Application No.13/2024 has been set

aside and matter is relegated back to Assistant Charity Commissioner for consideration afresh.

2. Mr. Santosh Jadhavar, learned Advocate appearing for petitioner would submit that issue as to resignation of respondent nos.1 to 3 is subject matter before Joint Charity Commissioner in Revision Petition Nos.40/2023, 38/2023 and 41/2023 arising out of Change Report Nos.1160/2016, 170/2016 and 1161/2016. The directions given by this Court by order under review to Assistant Charity Commissioner to cause fresh enquiry regarding resignation of original petitioners may result in conflicting orders. Further, once Joint Charity Commissioner is ceased with issue, Assistant Charity Commissioner would not be justified to venture into issue and render his decision on same issue which is subjudice before Joint Charity Commissioner.

3. This Court while deciding Writ Petition No.1196/2025 was not oblivious of pendency of Revision Petitions before Joint Charity Commissioner in respect of Change Report Nos.1160/2016, 170/2016 and 1161/2016. It is true that, in those matters, issue of resignation from Trusteeship of respondent nos.1 to 3 is subject matter. However, in present case, after considering material on record, this Court found that enquiry in aforesaid Change Reports was limited to the extent of resignation of respondent nos.1 to 3 as Trustees. In that case, issue whether they resigned from membership of Trust is not under consideration. The Charge Reports itself were filed reporting change of

Trustees. Therefore, issue in Change Reports is limited to resignation of respondent nos.1 to 3 as Trustees. Eventually, directions given by this Court to Assistant Charity Commissioner to record findings as to whether respondent nos.1 to 3 have tendered resignation of membership cannot be said to be overlapping with issue of resignation from Trusteeship subjudice in Revision Petitions pending before Joint Charity Commissioner.

4. In that view of matter, no good ground is made out for entertaining present Review Petition. Hence, Review Petition stands rejected.

(S. G. CHAPALGAONKAR)
JUDGE