

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11225 OF 2024

WITH

WRIT PETITION NO. 11228 OF 2024

WITH

WRIT PETITION NO. 11227 OF 2024

WITH

WRIT PETITION NO. 11230 OF 2024

Eknath Jairam Barshinge

...Petitioner

Versus

The Charity Commissioner & Anr

...Respondents

Dr Uday Warunjikar, i/b Gaurav Bandiwadekar, Bhushan

Bandiwadekar & Gayatri Bandiwadekar, for the Petitioner.

Mr BV Samant, Addl. GP, with PMJ Deshpande, AGP, for the

Respondent-State in WP/11225/2024 & WP/11228/2024.

Mr AA Alaspurkar, AGP, for the Respondent-State in WP/11227/24.

Ms RA Salunkhe, AGP, for the Respondent-State in WP/11230/24.

**CORAM: SUMAN SHYAM &
MANJUSHA DESHPANDE, JJ.**

DATED: 14TH OCTOBER 2025.

PC:-

1. By the Order impugned in these Writ Petitions dated 14th June 2023, four out of eight Original Applications instituted by the same Applicants/Petitioners, were disposed of by the learned MAT.

However, the remaining four Original Applications, raising issues which have direct bearing on the issues involved in the present Writ Petitions are still pending. Notwithstanding the earlier order of the learned MAT dated 8th July 2021, to tag all the eight Original Applications together and take up the matters for analogous hearing, the four Original Applications connected with these Writ Petitions have been heard and disposed of separately. Noticing that pursuing the present Writ Petitions during the pendency of the four Original Applications before the learned MAT may cause prejudice to the interest of Petitioners, this Court has passed Order dated 16th August 2024, granting leave to the Writ Petitioners to withdraw these Writ Petitions with liberty to prefer Review Application against the Judgment dated 14th June 2023 before the learned MAT *in alia* on the ground that the Original Applications, challenging the orders of punishment were still pending but the Original Applications, wherein the appointment of Enquiry Officer was put under challenge, have only been decided.

2. On a pointed query made by this Court, Dr Warunjekar, learned counsel appearing for the Petitioners and learned AGPs appearing for the State, have disarmingly submitted that the proper course of action in these cases would be to move the learned Tribunal seeking Review of the Judgment dated 14th June, 2023 with a request to take up all the eight Original Applications together for analogous hearing and disposal. However, Dr Warunjekar has prayed for liberty for his clients to agitate all the issues involved in the present Writ Petitions, at a subsequent stage, if the need so arises.

3. After taking note of the submissions made at the bar, all these four Writ Petitions are permitted to be withdrawn with liberty to prefer Review Application before the learned Tribunal in accordance with law, in the light of the observations made herein-above. It would be open to the Writ Petitioners to pray before the learned Tribunal for analogous hearing and disposal of all the Original Applications by a common order of the learned MAT.

4. We make it clear that if the Writ Petitioners continue to remain aggrieved in the matter even thereafter, it will be open for them to approach this Court once again by filing fresh proceedings, raising all plea, including the plea raised in the present Writ Petitions, as may be permissible under the law.

5. With the above observations, these Writ Petitions stand disposed of.

6. We have noted that the Petitioners are already out of service. As such, if the Review Applications are filed within two weeks from today, we request the learned Tribunal to pass appropriate order therein, in accordance with law, as expeditiously as possible.

(MANJUSHA DESHPANDE, J.)

(SUMAN SHYAM, J.)