



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CIVIL APPLICATION (CAS) NOS. 40 OF 2024 & 38 OF 2024
IN
SECOND APPEAL STAMP NO. 191 OF 2024
Triratna Bouddha Mahasangh, Wardha and ors **Vs.** Chandrakirti Natthuji
Shambharkar and ors.
WITH
CIVIL APPLICATION (CAS) NOS. 42 OF 2024 & 41 OF 2024
IN
SECOND APPEAL STAMP NO. 431 OF 2024
Triratna Bouddha Mahasangh, Wardha and ors **Vs.** Chandrakirti Natthuji
Shambharkar and ors.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M. A. Vishnu, Advocate h/f. Mr. R. C. Zambre, Advocate for applicants.
Mr. D. R. Bhoyar, Advocate for non-applicants.

CORAM : ROHIT W. JOSHI, J.

DATE : 08.09.2025.

**CIVIL APPLICATION (CAS) NO. 40 OF 2024 & 42
OF 2024**

By these applications the appellants seek to delete the name of deceased appellant no. 1(E)-Gulabrao Sadashivrao Patil @ Prasannachitta and add the name of Shri. Prakash Vithobaji Khairkar @ Vardhamma who is a newly appointed trustee.

2. The contents of the applications are supported by order passed by the learned Assistant Charity Commissioner, Wardha and also the schedule-I of the trust. Therefore, although the applications are strongly opposed, in the considered opinion of this Court, the civil applications need to be allowed by permitting the appellants to substitute the name of appellant no. 1(E)-

Gulabrao Sadashivrao Patil @ Prasannachitta with the name of Shri. Prakash Vithobaji Khairkar @ Vardhamma.

3. Hence, the applications are allowed. The appellants are directed to substitute the name of appellant no. 1(E)- Gulabrao Sadashivrao Patil @ Prasannachitta with the name of Shri. Prakash Vithobaji Khairkar @ Vardhamma.

4. The applications are disposed of accordingly.

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5. There is a delay of 215 days in filing the second appeal.

6. The delay is explained by stating that the learned advocate, who was engaged in the matter, was suffering from Cancer and, therefore, the delay has occurred in filing of the appeal.

7. Although, the respondents opposed the applications, they have not filed reply disputing the statement.

8. In view of the above, the civil applications are allowed. The delay caused in filing second appeals is condoned. The appeals be registered.

9. The applications are disposed of accordingly.

10. List the appeals for hearing on admission on 16.09.2025.

11. Interim order, if any, to continue till then.

(ROHIT W. JOSHI, J.)