



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1502 of 2025

[Shri Mohan Bababua Bharti and anr. ..vs.. Shri Vishwanath Namdeo Deshmukh
and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. D. Abhyankar, Advocate for the petitioners
Mr. R. M. Wasnik, Advocate for caveator/respondent no. 2
Ms. K. P Marpakwar, AGP for respondent no. 8

CORAM : ANIL L. PANSARE J.

DATED : 03-04-2025

Heard.

2. It appears that the Assistant Charity Commissioner, Chandrapur allowed the application seeking intervention filed by respondent nos. 2 to 7. The Assistant Charity Commissioner was of the *prima facie* view that the intervenors are members of the society. The petitioner is aggrieved by this finding and, therefore, filed application to recall the aforesaid order, which came to be rejected on the ground that the finding as regards membership of respondent nos. 2 to 7 is *prima facie* and the issue has been not finally decided.

3. Thus, the apprehension of the petitioners that respondent nos. 2 to 7 may take advantage of the aforesaid finding is without any substance.

4. Even otherwise, since the view taken by the Assistant Charity Commissioner as regards membership of respondent nos. 2 to 7 was *prima facie*, there arises no question of respondents taking advantage of such finding to claim themselves to be member only on the basis of said order. It is a different matter whether they could establish their claim of membership by evidence or documents to that effect. There

is, thus, no merit in the challenge to the impugned order. Writ petition is accordingly dismissed.

(Anil L. Pansare, J.)

wasnik