



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO.2357 OF 2024

Abhijit Govind Wanjari and Others

Vs.

Swati Amar Wanjari and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.D. Abhyankar, Advocate for the Petitioners.
Mr. A.G. Mate, AGP for the Respondent/State.
Ms. Vidya Umale, Advocate for Respondent Nos.1 to 3.

CORAM: SIDDHESHWAR S. THOMBRE, J.

DATED : 07th OCTOBER, 2025

1. The petitioner is challenging the order dated 31.01.2024 passed by the Joint Charity Commissioner, Nagpur in Revision Application No.32/2020, whereby the revision filed by the present respondent No.1 under Section 70-A of the Maharashtra Public Trust Act, 1950 came to be allowed.
2. Learned Joint Charity Commissioner by allowing the revision, remanded back the matter to the Assistant Charity Commissioner to decide the change report within a period of six months from the date of appearance of the parties.
3. Learned counsel for the petitioner, invited attention of this Court, to the order passed by the Learned Joint Charity Commissioner and submitted that the Learned Joint Charity Commissioner ought to have recorded the reasons for allowing the revision while remanding back the matter to the Assistant Charity Commissioner.

4. The respondent No.1 who filed a revision under Section 70-A of the Maharashtra Public Trust Act, 1950 wherein, she has contended that the reporting trustee namely Abhijeet Wanjari though posing himself as a reporting trustee was not a managing committee member of the trust and was not even a simple member of the trust till the year 2018. Even thereafter, he was not enrolled as a member of the trust and alongwith the Vice President, he prepared false and fabricated proceeding and took advantage of the respondent No.1's mental condition. When the husband of respondent No.1 i.e. Amar Wanjari died on 09.04.2018, and the reporting trustee had been to the house of respondent No.1 and took with him the record of trust and the keys of Mantra Celebration Hall. No resolution was made to incorporate reporting trustee Abhijit Wanjari and Smita Wanjari as simple member of the trust. The respondent No.1 for the first time got knowledge of the change report No.1926/2018 in the month of August, 2019, which was already decided by the Assistant Charity Commissioner on 29.05.2018. She immediately applied for the certified copy and the change report was challenged. Therefore, considering the allegations made by the respondent No.1 and more particularly when the respondent No.1 was Secretary of the Trust at that relevant time and as per provisions of the trust deed, the Secretary ought to have called meeting and this legal issue should have been answered and therefore, learned Joint Charity Commissioner has rightly interfered with the order

passed by the Assistant Charity Commissioner and set-aside the order of accepting the change report.

5. Considering the above mentioned facts and circumstances, I am not inclined to entertain the present petition. More particularly, as the change report is to be decided afresh and the petitioner would get a sufficient opportunity to put-forth all his grievance before the learned Assistant Charity Commissioner, who will decide the matter afresh. In view thereof, I do not find any reason to interfere with the findings recorded by the learned Joint Charity Commissioner. Accordingly, the writ petition is **dismissed**. All the points of both the parties are kept open. No order as to costs.

(SIDDHESHWAR S. THOMBRE J.)

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