



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

WRIT PETITION NO. 1053 OF 2025

SHRI SAHEBRAO KESHAVRAO PAKHAN

Vrs.

SHRI MANOJ NANDLAL KAWARE AND ANOTHER

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

Court's or Judge's Order

Shri K. P. Mahalle, Advocate for petitioner.

CORAM: ANIL L. PANSARE, J.

DATE : 26/02/2025.

1. Heard.
2. One of the questions that fall for consideration is whether the order passed under Section 73(A) of the Maharashtra Public Trusts Act, 1950 (For short, "Act of 1950"), which is an interlocutory order in the inquiries under Section 22 or other such inquiries as provided under Section 70 of the Act of 1950 is assailable before the Charity Commissioner in terms of Section 70(A).
3. As such, the counsel for petitioner has invited my attention to the view taken by the Co-ordinate Bench of this Court in Writ Petition No.7728/2022 [Babu s/o Irappa Khadakbhavi (Dr.) and others Vrs. State of Maharashtra and others] decided on 05/08/2022 holding that in such circumstances, the revision under Section 70(A) is maintainable, the counsel however submits that this view requires reconsideration, as is not in tune with the provisions

of the Act of 1950, particularly Section 70(A) r/w Section 70 of the said Act.

4. Issue notice to the respondents, returnable in three weeks. Issue notice to the respondents on interim relief also.

[ANIL L. PANSARE, J.]

Choulwar