



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7300 OF 2025
WITH
CIVIL APPLICATION NO. 1983 OF 2026 IN WP NO.7300 OF 2025

Sundarlal Ramnivas Darak

VERSUS

The Joint Charity Commissioner Latur And Others

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Advocate for Petitioner : Mr. S.B. Gastgar

AGP for Respondents no.1,2 : Mr. K.N. Lokhande

Advocate for Respondent no.3 : Mr. N.P. Patil-Jamalpurkar

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 17, 2026

FINAL ORDER :-

1. The petitioner approaches this Court with following prayers :-

“C. By issuing writ of Certiorari or any other appropriate writ, order or directions in the like nature to quash and set aside the impugned order dated 16.5.2025 passed by Joint Charity Commissioner, Latur Region, Latur in Revision application No. 93 of 2024 in MA No.384 of 2024 in Change Report No.383 of 2024 (Latur) filed by petitioner/reporting trustee for provisional acceptance of Change Report No.383 of 2024 deserves to be allowed.

and/or

D. By issuing appropriate writ, order or directions in the like nature to appoint a fit person or administrator on Shardopasak Shikshan Sanstha, Aurad Shahajani, F-144/Latur for looking day-to-day affairs of the trust till dispute as regards Managing Committee and membership of the Trust is finally resolved/decided by the Charity Authorities.”

2. The Shardopasak Shikshan Sanstha, Aurad Shahajani Tq. Nilanga, District Latur is a public trust registered under the Maharashtra Public Trusts Act, 1950 vide PTR No.F-144/Latur as well as under the Societies Registration Act, 1860. Petitioner claims himself to be the life member of the Trust as well as interested person and beneficiary of the trust as stipulated under section 2(10)(d)(e) of the Act.

3. Petitioner submitted change report no.383 of 2024 along-with the application ME No.384 of 2024 for provisional acceptance of change report before the Deputy Charity Commissioner, at Latur. The learned Deputy Charity Commissioner, Latur rejected ME No.384 of 2024 by the impugned order dated 8.7.2024. Aggrieved by order of Deputy Charity Commissioner, petitioner filed Revision Application no.93 of 2024 before the Joint Charity Commissioner, at Latur alongwith an application below Exhibit-7 seeking interim arrangement for administration of the trust, however, Joint Charity Commissioner did not pass any necessary orders. Ultimately, revision application no.93 of 2024 came to be rejected. Hence, this writ petition.

4. The petitioner contends that at the request of the members, the petitioner conducted elections of the Trust in a meeting dated 15.5.2024 and sought provisional acceptance of the change report. The Deputy Charity Commissioner as well as the joint Charity Commissioner observed that petitioner was neither president nor the Secretary of the Managing Committee during last tenure of trustees. There is nothing on record to show that petitioner was authorized to convene meeting for elections of the Managing Committee. He never sought directions from competent authority for conduct of elections. Record shows that CR No.1304 of 2019 in respect of last election has been decided by the Deputy Charity Commissioner vide his order dated 22.4.2024. In that judgment categorical finding has been recorded that Mr. Vyankatrao Bhingole, Mr. Baburao Bhandare and Mr. Ramrao Thete were not members of the Trust. However, in present change report, they are shown as incoming trustees. Although, the appeal is filed against decision of Deputy Charity Commissioner in CR No.1304 of 2019, fact remains that, as on today there is nothing to show that aforesaid persons were members of the trust.

5. In wake of such state of affairs, prima facie opinion expressed by the Deputy and Joint Charity Commissioner that provisional acceptance to CR No.383 of 2024 cannot be granted appears to be just and proper.

6. Mr. Gastgar, learned advocate appearing for the petitioner would submit that since there is no authorized Managing Committee at place, it is necessary to appoint a fit person or administrator on the trust for looking day-to-day affairs till the final decision in pending change reports submitted by rival groups.

7. Apparently, learned Joint Charity Commissioner has observed in the impugned order that in such a situation, powers under section 41-A of the Maharashtra Public Trusts Act can be exercised by the Deputy Charity Commissioner. Admittedly, an application under section 41-A of the Act has been filed before the Deputy Charity Commissioner.

8. In wake of pendency of the application before the Deputy Commissioner, this Court need not delve into aspect of interim arrangement for Management of the Trust, however, it is expected that the Deputy Charity Commissioner shall take

his decision expeditiously after hearing the rival groups and in any case within a period of **Ten (10)** weeks from today.

9. In that view of the matter, writ petition stands **rejected**.
No costs. Pending civil application, if any, also stands **disposed of**.

(S. G. CHAPALGAONKAR, J.)

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aaa/-f