



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

982 WRIT PETITION NO. 2632 OF 2024

DNYANESHWAR SHIKSHAN SANSTHA DAVANGAON
THROUGH ITS SECRETARY AND ANOTHER

VERSUS

RAOSAHEB GANPATI NAGARGOJE AND OTHERS

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Advocate for the Petitioners : Adv.P.M.Nagargoje

AGP for Respondent-State : Mr.K.B.Jadhavar

Advocate for Respondent nos.1 and 2 : Adv.Vivek Dhage

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CORAM : ARUN R. PEDNEKER, J.

DATE : 28.03.2024

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] The learned counsel for the respondents has placed on record judgment in the case of **Damodar Jairam Sao Vs. Deputy Charity Commissioner, Nagpur & others** reported in 2011 [6] Mh.L.J. 431 and submits that the present matter would not lie before the Single Judge.
- 3] The learned counsel for the petitioners submits that the matter was listed for argument before the Charity Commissioner and without hearing the parties, the matter was kept for judgment.
- 4] It is brought to my notice that the judgment in

the case of **Shivaji Dnyanoba Mule and another Vs. Deputy Charity Commissioner and others** in Writ Petition No.13572 of 2023 along with connected matter, decided on 2nd November, 2023 wherein the Division Bench has held that the Single Judge has jurisdiction to entertain the Writ Petition, challenging the order of the Deputy Charity Commissioner under Section 41-A of the Bombay Public Trusts Act, 1950, in the event the authority has exercised quasi judicial function in dealing with all rival contentions of the parties.

5] The learned counsel for the respondents to take instructions with regard to hearing of the matter.

6] In view of the submission, there shall be stay to the impugned order dated 09.02.2024 passed by the Deputy Charity Commissioner, Latur Region, Latur in Change Report No.528 of 2012 till next date.

7] List this matter on 12.04.2024.

[ARUN R. PEDNEKER]
JUDGE

DDC