



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.4996/2019

Pradeep Wamanrao Kubde and Ors. .Vs. Joint Charity Commissioner, Amravati & Ors.

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

Court's or Judge's orders

Mr. A. M. Ghare, Advocate for petitioners.
Mr. P. N. Shende, Advocate for respondent No.2.
Mr. H. R. Dhumale, A.G.P for respondent No.1.

CORAM : ANIL L. PANSARE, J.

DATE : APRIL 3, 2025

Heard for some time.

2. The Trust under question has a chequered history. It appears that the elections have been not held for years together. There are several rounds of litigation. However, what appears is that in Special Civil Suit No. 8/83, the parties have arrived at a settlement and agreed that the plaintiffs and 93 others persons, whose list was attached to the plaint, were members of the Trust under question and have right to participate in its proceeding. This compromise decree has been taken aid of by the Joint Charity Commissioner, whose order is impugned here, to declare that the persons named in the compromise decree in Special Civil Suit No. 8/83 read with Regular Civil Appeal No.2/1983, shall be legal and valid members of the Trust. The Joint Charity Commissioner has appointed Inspector of Public Trust Office as Election Officer to hold election from amongst the alive members. Thus, it appears that the Joint Charity Commissioner has acted upon the compromise decree, which has attained finality. As such, there appears no reason to interfere with the said finding.

3. Nonetheless, learned counsel for the petitioners seeks time to verify correctness of the compromise so recorded by the Civil Court. At his request, list in the week commencing from 28.04.2025.

(Anil L. Pansare, J.)