

**Order below Exh. 2 in Appeal No. 22 of 2013 under Section 70  
of the Maharashtra Public Trusts Act, 1950**

In the matter of  
The Indian Association of  
Physiotherapists,  
P.T.R. No. F/1335 (Mumbai).

...

(1) Heard the learned advocate Shri Ganesh Chavan for the applicant. Perused the documents.

(2) Brief facts giving rise to the present application are as follows: -

This is about the trust – The Indian Association of Physiotherapists registered under the Bombay Public Trusts Act, 1950 bearing P.T.R. No. F/1335/Mumbai. The applicant is the original reporting trustee in Change Report No. 1738 of 2011. The learned Deputy Charity Commissioner, Greater Mumbai Region, Mumbai by Judgment and Order dated 4-7-2013 rejected the change report. Being aggrieved by the same, the appeal is preferred and the present application is filed for staying the effect of the order impugned.

3. The learned advocate for the applicant has questioned the directions given by the learned Authority below about the

election process while rejecting the change report. It is well settled that the change report inquiry is a judicial inquiry to ascertain the legality and validity of the change and nothing more than that. It appears from the order impugned that the learned Authority below has issued substantive orders and directions about the election process. In view of this, the following order is passed: -

**:- ORDER :-**

- i. The execution, implementation and operation of the Judgment and Order dated 4-7-2013 passed by the Deputy Charity Commissioner, Greater Mumbai Region, Mumbai in Change Report No. ACC/Hosp/1738/2011 is hereby stayed till further orders.
- ii. Issue notice to the respondent returnable on 13-08-2013 at 02.30 p.m. as to why the ex parte ad-interim order should not be confirmed.

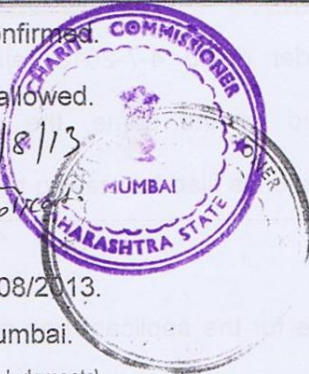
- iii. E.P. allowed.

noted by 5/8/13  
 P.S. for Approval

Date: - 05/08/2013.

Place: - Mumbai.

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*(Signature)*  
 (V. K. Jadhav) 5/8/13

Charity Commissioner,  
 Maharashtra State, Mumbai.

खरी नक्कल म्हणून प्रमाणित  
 अर्चिलक  
 धर्मादाय आयुक्त, महाराष्ट्र राज्य, मुंबई कार्यालय, मुंबई  
 5/8/13