

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3130 OF 2016

Jai Enterprises

.. Petitioner

Versus

Deccan College Poona Trust and another

.. Respondents

Mr. S. B. Deshmukh, for the Petitioner.

Mr. V. R. Gaikwad, for the Respondent No.1.

Mrs. V. S. Nimbalkar, AGP for the Respondent No.2.

CORAM : R.M. SAVANT, J.

DATE : 17th MARCH 2016

PC.

1. The cause for moving the above Writ Petition is the fact that the Respondent No.1 Trust has advertised the property which it wants to sell by seeking permission of the Charity Commissioner under Section 36 of the said Act by publishing the notice only in the newspapers having circulation in Mumbai. Since the property is situated in Pune, it is the contention of the Petitioner that the Respondent No.1 Trust ought to have published the notice in the local newspapers having circulation in Pune. The above Petition was therefore adjourned on the last occasion to facilitate the Learned Counsel for the Respondent No.1 Trust to take instructions. The Learned Counsel appearing for the Respondent No.1 has accordingly filed an affidavit of Shri. Chandrashekhar V. Joshi, Secretary of

the Respondent No.1 Trust. In paragraph 8 of the affidavit, it has been stated that the Respondent No.1 Trust is ready and willing to republish the said notices in the Pune edition of the newspapers, meaning thereby that the newspapers having circulation in Pune. In view of the said statement appearing in paragraph 8 of the said affidavit, the grievance of the Petitioner is met. In my view, the above Petition can be disposed of by issuing the following directions :-

I) The Respondent No.1 Trust to issue notice in the local newspapers having circulation in Pune inviting offers for the property in question. The same to be done within 15 days from today.

II) Since the offers pursuant to the notice published in the newspapers having circulation in Mumbai have already been received, the said offers along with the offers that would be received after the notice is published in the Pune newspapers to be opened together by following the procedure for the same.

III) The Petition to stand disposed of with the aforesaid directions.

[R.M. SAVANT, J]