

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.6383 OF 2016**

Raju Pandurang Kolape & Ors. ...Petitioners
vs.
The State of Maharashtra through
Secretary & Ors. ...Respondents

Mr. Mahindra B. Deshmukh for the Petitioners.
Mr. V. P. Malvankar, AGP 'A' Panel for the Respondent Nos.1 to 3.

**CORAM : A.S.OKA AND
ANUJA PRABHUDESSAI, JJ.
DATE : 31st JANUARY 2017**

P.C.:

. Not on board. Taken on board.

2. It appears that the Petitioners by way of a letter dated 9th March 2016 have sought exercise of powers by Deputy/Assistant Charity Commissioner under Section 3(A) of Section 22 of the Maharashtra Public Trust Act, 1950.

3. The power under Section 3(A) of Section 22 is a quasi judicial power for holding an inquiry. Such relief under section 3(A) of Section 22 cannot be sought by sending a letter either to the Assistant Charity Commissioner or to the Deputy Charity Commissioner. For that purpose, the Petitioners will have to file appropriate proceedings in accordance with law. Therefore, we decline to entertain this Writ Petition seeking a direction against the Deputy/Assistant Commissioner to take action on the basis of the representation.

4. Writ Petition is disposed of. However, this order will not preclude the Petitioners from filing an appropriate proceedings in accordance with law.

(ANUJA PRABHUDESSAI,J)

(A.S.OKA,J.)