

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11249 OF 2018

**RAMESH DHANSUKHLAL RANA AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for the Petitioners : Shri J. R. Shah
AGP for Respondent No. 1 : Shri K. S. Patil

...
CORAM : RAVINDRA V. GHUGE, J.

DATED : 09th OCTOBER, 2018.

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PER COURT :

1. The petitioners are the trustees of a trust, who are aggrieved by the order dated 17/02/2018 passed by the Joint Charity Commissioner, Nashik Region, Nashik, thereby refusing to grant permission for selling two properties, one admeasuring 87.8 sq. mtrs. and the other, which is occupied by a tenant, admeasuring 87.0 sq. mtrs.

2. I have considered the submissions of the learned Advocate for the petitioners and the learned AGP for respondent No.1. I find that this proceeding relates back to 2014 when an advertisement was published by the trust in 'Dainik Janadesh' and in 'Lokmat Times'. With the passage of

four years, the valuation of the land must have escalated. The Joint Charity Commissioner was not inclined to grant permission to sell the said properties as the government valuation was Rs. 6,92,300/- and the purchaser-cum-tenant offered only Rs. 7,00,000/-.

3. Considering the above, taking into account the passage of four years and with an intention that the trust would get the best price, that I am of the view that these petitioners/trust can be permitted to pass a fresh resolution insofar as the sale of the properties is concerned. If the trust resolves to sell both the properties, the petitioners can then have a notice published in Marathi Daily Lokmat, Navapur, Taluka Edition, Nandurbar and in English daily "Lokmat Times", Navapur Taluka Edition, Nandurbar. After the advertisement is published and the offers are received, these petitioners can then once again move the Joint Charity Commissioner, Nashik Region for seeking permission to dispose of the said properties. If this is so done, the Joint Charity Commissioner shall consider the same on its own merits.

4. With the above directions, this Writ Petition is disposed off.

(RAVINDRA V. GHUGE, J.)

shp/-