

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.233 OF 2013

Rajaram s/o Baburao Dinde Petitioner
Vs.
The State of Maharashtra & Others Respondents

WITH
WRIT PETITION NO.4964 OF 2016
WITH
CIVIL APPLICATION NO.204 OF 2017
IN
WRIT PETITION NO.4964 OF 2016

Maharashtra Amateur Athletic Association,
Pune Petitioner
Vs.
The Athletics Federation of India & Others Respondents

Mr. T.D. Deshmukh with Mr. Sagar Kursija for the
Petitioner in all matters.
Ms R.A. Salunkhe, AGP, for the Respondent-State
in all matters.
Mr. P.D. Paranjape with Mr. Manish Kelkar for
Respondent No.10 in PIL-233/2013 and Respondent
No.3 in WP-4964/2016.
Mr. Swapnil Gupte i/by Economic Laws Practice
for Respondent No.2 in WP-4964/2016.
Mr. Rupesh Geete i/by Parinam Law Associates for
Respondent No.5 in WP-4964/2016.

CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.

DATE : NOVEMBER 04, 2019

P.C:

1. Heard Mr. Deshmukh appearing for the petitioners.

Perused the PIL and the annexures thereto. Also perused the writ petition and the annexures thereto.

2. From the same, it is clear that the PIL and the writ petition concerns the internal administration and affairs of the Maharashtra Amateur Athletic Association, Pune.

3. It is stated that this is registered as a public trust under The Maharashtra Public Trusts Act, 1950. The petitions are filed, presented and affirmed by Committee Members. At one time, one of the persons posing himself as an *ad hoc* Committee Member alleges financial irregularities or otherwise against the Secretary, and in another round that gentleman, who is a secretary, and the Association, are both targeted.

4. Either which way, this is a matter where PIL cannot be entertained. Anybody who has a subsisting grievance can approach the Charity Commissioner or the Joint Charity Commissioner with an appropriate application and we have no doubt in our mind that grievances that may be raised in such application would be attempted to be redressed by the Charity Commissioner/Joint Charity Commissioner/Deputy Charity Commissioner in accordance with law. By keeping that avenue open, we dispose of the present PIL and the writ petition. Consequently, the civil application preferred in the writ petition does not survive and it accordingly stands disposed of.

5. Our order is based on the principle laid down in the Judgment of the Hon'ble Supreme Court and the one brought to our notice, namely, **Jaipur Shahar Hindu Vikas Samiti Vs. State of Rajasthan and others**, reported in (2014) 5 SCC page 530.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)