

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3485 OF 2021

**SNEHA
NITIN
CHAVAN**

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SNEHA NITIN
CHAVAN
Date: 2021.09.06
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Shree Chanakya Education Society
through Chairperson Dr. Tarita Shankar .. Petitioner
V/s.

The Joint Charity Commissioner,
Pune Region Pune and Anr. ..Respondents

Ms. Monisha Mane Bhangale a/w Warisha Parkar i/b Parinam Law
Associates for the Petitioner.

Mr. A.B. Kadam, AGP for the Respondent Nos. 1 and 2/State.

CORAM : C.V. BHADANG, J.

DATE : 06 SEPTEMBER, 2021

P.C.

1. The challenge in this petition is to the order dated 22 June 2021 passed by the Joint Charity Commissioner, Pune Region, Pune thereby rejecting the application under Section 36 of the Maharashtra Public Trusts Act, 1950 filed by the Petitioner for alienation of the subject property. The learned counsel for the Petitioner points out that the Joint Charity Commissioner has found that there is no present necessity for the Petitioner to alienate the property as in the opinion of the learned Joint Charity Commissioner, the property cannot be alienated, only due to fear of

encroachment on the open plot. The learned Joint Charity Commissioner also found that there is no compelling necessity for such alienation.

2. In the face of the finding as above, the learned counsel for the Petitioner on instructions seeks leave to withdraw the petition with liberty to seek such permission afresh if found necessary.

3. In such circumstances, the petition is disposed of as withdrawn with liberty to seek the permission afresh in the event there is material change in circumstances.

C.V. BHADANG, J.