

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

WRIT PETITION NO.6818 OF 2022

**ARUN UTTAMRAO LANDE AND OTHERS
VERSUS
THE JOINT CHARITY COMMISSIONER PUNE AND ANOTHER**

...
Advocate for Petitioners : Mr. Milind K. Deshpande
AGP for Respondent – State : Mr. P. G. Borade
...

CORAM : MANGESH S. PATIL, J.

DATED : 04 JULY 2022

PER COURT :

The petitioners are seeking to challenge the order passed by the Joint Charity Commissioner on an application submitted by the respondent no.2 - public trust, seeking permission to sell the trust properties to him, preferred under section 36(1)(a) of the Maharashtra Public Trust Act, 1950.

2. I have heard the learned advocate for the petitioners.

3. Section 36 contemplates previous permission of the Charity Commissioner to sell the properties of a public trust. By the order under challenge moved by the respondent no.2 - trust such a permission has been refused. The respondent no.2 trust is not seeking to challenge it.

4. In the circumstances, it is indeed a serious issue as to how the petitioners who are the proposed purchasers could have a *locus standi* to challenge the order, more so when the respondent no.2 trust has not chosen to challenge it.

5. The petitioners cannot be said to have any vested right which they can enforce by putting up a challenge to the order passed by the Joint Charity Commissioner refusing permission.

6. Petition is dismissed.

(MANGESH S. PATIL, J.)