

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9626 OF 2022**

Shri Balasaheb D. Hulawale and Anr.Petitioners
V/s.
Ld. Asst. Charity Commissioner 2 Pune and Ors.Respondents

Mr. Ojas Deolankar, Advocate for the Petitioners.
Mr. Shailesh Chavan, Advocate for the Respondent Nos.3,15 and
16.
Mr. P.P.Pujari, AGP for the State.

CORAM : SANDEEP K. SHINDE, J.
DATED : 10TH OCTOBER, 2022.

P.C. :

1. This Petition under Article 227 of the Constitution of India challenges the order dated 24th June, 2022 passed by the Assistant Charity Commissioner-2, Pune, in exercise of powers under Section 50(A) of the Maharashtra Public Trusts Act vide which learned Assistant Charity Commissioner framed the scheme of Shri Mhatoba Devsthan Trust, Taluka: Mulshi, District: Pune. Section 70 of the Trust Act provides for an appeal from the findings of the Deputy or Assistant Charity Commissioner passed under Section 50(A) of the Act. In view of alternate statutory remedy, available to Petitioner, learned counsel seeks leave to withdraw the petition with liberty to file an appeal.

Leave granted. In the event, Petitioners file an appeal, the learned Charity Commissioner shall decide the same expeditiously on its own merits, without being influenced by the order of this Court.

2. All contentions of the petitioners and respondents are expressly kept open.

(SANDEEP K. SHINDE, J.)