



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CAO 1257/23 in MCA St. No.15387/23 in Writ Petition No.3581/2023 (D)

Dinesh and another v Joint Charity Commissioner, Amravati and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. U.J. Deshpande, Adv for petitioner.

Mr. Damle, AGP for respondents.

CORAM : AVINASH G GHAROTE J.

DATE : 13-10-2023

Heard learned Counsel for the petitioner.

2. The delay is condoned.

MCA St. No.15387/23

The application seeks review of the judgment dated 19-06-23 on the ground that the property which was sought to be sold was encroached and therefore permission ought to have been granted. This ground has already been considered in the impugned judgment which also records that on 12 earlier occasions, the properties of the trust have been applied to be sold and after receiving permission has in fact been sold. Further nothing has been pointed out about the utilization of the funds for the aims and object of the trust. It is contended by learned Counsel for the petitioners that there are still more properties available of the trust and therefore sale of these properties would not mean that the trust is deprived of the immovable property. However that cannot be

the reason for granting permission u/s 36 of the Maharashtra Public Trusts Act, 1950. The conduct of the petitioners clearly indicates that the respondent no. 2 without any reason is in the habit of selling proprieties and there is no whisper regarding the applicability of the funds. In that view of the matter, I do not see any reason to review the judgment. The petition is dismissed. No costs.

JUDGE

Deshmukh