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

WRIT PETITION NO.891 OF 2024

Vinod Kulwant Singh Kapoor & Ors ... Petitioners
V/s.
 The Joint Charity Commissioner & Anr ... Respondents

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Ms. Veena Thodhani, for Petitioner.

Mr. S. D. Rayrikar, AGP, for State/Respondents.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 30, 2024

P.C.:

- 1. Rule.**
- 2. Rule is made returnable forthwith.**
- 3. By the impugned order the Joint Charity Commissioner, Nashik Region, Nashik rejected petitioners application seeking permission to sell the property of Trust mainly on the ground of lack of quorum.**
- 4. Learned Advocate for the petitioner states that during pendency of the writ petition the defect of lack of quorum is cured by appointing new Trustees. It is stated that change report in relation to appointment of new Trustees has already been sent to the Joint Charity Commissioner. It would, therefore, be in the**

fitness of things that the petitioner shall file fresh application under Section 36(1)(a) of the Maharashtra Public Trusts Act, 1950 for grant of sanction to sell Trust property.

5. The Joint Charity Commissioner shall consider the original documents filed along with Application No.35 of 2022 and documents filed by the petitioners with the fresh application.

6. Learned Advocate for the petitioner states that such fresh application will be filed within one week from today.

7. The Joint Charity Commissioner shall decide the fresh application filed by the petitioners on its own merits within three months from today.

8. Rule is made absolute in above terms.

9. With that clarification, the writ petition stands disposed of.
No costs.

(AMIT BORKAR, J.)