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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3589 OF 2021**

Ms. Sunita Premnath Shinde ... Petitioner

vs.

Mr. Tukaram Laxman Shinde and Ors ... Respondents

Mr. Mayuresh S. Lagu, for Petitioner.

CORAM : GAURI GODSE, J.

DATED : 11th MARCH, 2024

P.C. :-

1. This writ petition is filed to challenge the dismissal of the revision application filed by the petitioner raising objections to the acceptance of the change report dated 15th July 2015, under section 22 of the Maharashtra Public Trust Act, 1950 (**'Trust Act'**).

2. Learned counsel for the petitioner submitted that the petitioner was working as a Treasurer and without making an inquiry, the name of the petitioner is deleted in view of the acceptance of the change report. Learned counsel for the petitioner further relied upon a specific ground raised in the revision application and submitted that acceptance of the earlier change

report was also challenged by the petitioner. He submits that though the revision application challenging the same was dismissed, the petitioner has filed a writ petition in this court and the same is pending. He thus, submitted that if the petitioner succeeds in challenging the acceptance of the earlier change report, the same will affect the merits of the present change report. He thus, submitted that while deciding the revision application though the said objections were noted by the Joint Charity Commissioner, no findings were recorded on the said submissions, and the revision application filed by the petitioner was erroneously dismissed.

3. I have considered the submissions made on behalf of the petitioner. I have perused the order accepting the change report as well as the dismissal of the revision application confirming acceptance of the change report. The change report is for giving effect to the newly elected body of trustees, pursuant to the General Body Meeting held and the resolution passed by the General Body. As per the resolution passed electing new board of trustees, the change report is accepted for effecting necessary change in the board of trustees. The Joint Charity Commissioner has referred to the necessary documents regarding the General Body meeting held on 4th June 2015. While dismissing the revision application, the Joint

Charity Commissioner held that there were no objections from outgoing trustees in the General Body Meeting for electing the board of trustees. Learned Joint Charity Commissioner has thus confirmed acceptance of the change report on the ground that the said change has to be effected pursuant to the resolution passed by the General Body. The Joint Charity Commissioner has observed that the petitioner was unable to show any concrete reason as to how she was aggrieved due to acceptance of the change report by order dated 6th August 2015. Hence, by verifying the necessary record, regarding the change of trustees for the period 2015-2018, the Joint Charity Commissioner, dismissed the revision application filed by the petitioner.

4. It is not in dispute that the change accepted vide change report no. 494 of 2015 was pursuant to the General Body Resolution passed for electing the Managing Committee for the period 2015-2018. Thus, I do not find any error or illegality in the impugned order. Even otherwise, the term of the board of trustees which is questioned in the present petition was for the period 2015-2018. Hence, I do not see any reason to invoke powers under Article 227 of the Constitution of India for interfering with the impugned order.

5. Writ Petition is devoid of any merits and deserves to be dismissed. For the reasons stated above, the Writ Petition is dismissed.

(GAURI GODSE, J.)