

Shabnoor

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

WRIT PETITION NO.5712 OF 2022

Jagruti Education Society & Anr ... Petitioners
V/s.
The State of Maharashtra & Anr ... Respondents

**WITH
INTERIM APPLICATION NO.1988 OF 2024
IN
WRIT PETITION NO.5712 OF 2022**

Rucha Rajkumar Jadhav ... Applicant
In the matter between
Jagruti Education Society & Anr ... Petitioner
V/s.
Jagruti Education Society & Anr ... Respondents

Mr. Yogesh G. Thorat i/by Mr. Padmanabh D. Pise, for
Petitioner.

Ms. Sejal A. Hariyan, for Applicant in IA for Applicant.

Smt. D. S. Deshmukh, AGP for State.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 28, 2024

P.C.:

1. The present writ petition raises similar challenge as raised in Writ Petition No.8494 of 2021 by the petitioners except the measurement, location of the land and the bidder.

2. The single Judge of this Court by the order dated 5 February 2024 decided Writ Petition No.8494 of 2021 filed by the petitioner. Therefore, for reasons stated in the order passed in Writ Petition No.8494 of 2021, following order is passed:

- i) Impugned order dated 29 April 2019 passed by the Assistant Charity Commissioner, Kolhapur Division, Kolhapur in Application No.14 of 2018 is quashed and set aside.
- ii) Application No.14 of 2018 filed by the petitioner is restored to the file of the Assistant Charity Commissioner, Kolhapur Division for hearing afresh, in terms of the observations made in this order.
- iii) Petitioner is permitted to place on record before the Assistant Charity Commissioner, the recent valuation report within a period of one month from today.
- iv) The Assistant Charity Commissioner, Kolhapur Division, Kolhapur shall decide the Application No.14 of 2018, afresh by taking into consideration the recent valuation report that will be submitted by the petitioner.
- v) Since the original application is of the year 2018, hearing of the application is expedited.
- vi) Parties to appear before the Assistant Charity Commissioner, Kolhapur Division, on **5 March 2024**. Thereafter, the Assistant Charity Commissioner to fix the date of further hearing of the application.

3. The writ petition stands disposed of in above terms. No costs.

4. In view of disposal of the writ petition, the interim application is also disposed of.

(AMIT BORKAR, J.)