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

WRIT PETITION NO.2000 OF 2024

Shyam Lal Kumawat & Anr. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

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WITH

WRIT PETITION NO.1065 OF 2024

Shyam Lal Kumawat & Anr. ... Petitioners

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Bharat V. Bhatia for the petitioners.

Mr. A.B. Chate, Additional G.P. with Mr. S.B. Kalel, AGP
for respondent Nos.1 & 2/State.

Mr. Varun Satiya i/by Jadeja & Satiya for respondent
Nos.3 to 5.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 13, 2024

RC.:

1. The petitioners/prospective purchasers are challenging order passed by the Charity Commissioner directing publication of notice of tenders to sell Trust property in newspaper having largest circulation in the local area.

2. Under Section 36(1) of the Maharashtra Public Trusts Act, 1950, it is within the power of the Charity Commissioner to direct

publication of notice to invite offers in newspapers having largest circulation. Such order is in the interest of Trust. The Charity Commissioner is clothed with capacity of parent patrol under the provisions of the Maharashtra Public Trust Act, 1950. Any exercise of power in view of Full Bench judgment of this Court in **Sailesh Developers & Anr. v. Joint Charity Commissioner** reported in (2007) 3 Mah. L.J. 717, it is for the Charity Commissioner to take appropriate decision before granting permission. Hence, exercise of discretion by the Charity Commissioner at the instance of prospective purchasers need not be interfered with.

3. Both the writ petitions are, therefore, dismissed. No costs.

(AMIT BORKAR, J.)