

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3254 OF 2024**

Mahiboob Mustafa Khistake ... Petitioner
Versus
Abdulsamad Vazeerpasha Peer Jade and ors. ... Respondents

Mr. Padmanabh D. Pise along with Ms. Sejal A. Hariyan i/b. Mr. P. Padmanabh & Associates, Advocates for the Petitioner.
Mr. Anant Vadgaonkar, Advocate for Respondent Nos.1 and 2.
Mr. S. D. Rayrikar, AGP for Respondent No.3.

**CORAM : R. M. JOSHI, J.
DATED : 24th SEPTEMBER, 2024.**

P.C. :

1. In view of judgment of this Court in case of **Dr. Bapur Irappa Khadakbhavi and ors. versus The State of Maharashtra and ors. in Writ Petition No.7728 of 2022 decided on 5th August 2022**, the position of law as it stands is that the order of rejecting the application under Section 73A of the Maharashtra Public Trusts Act, 1950 is revisable under Section 70A of the Act. In view of this, learned counsel for the petitioner seeks withdrawal of the petition with liberty to avail remedy of revision. In view of this, petition is dismissed with liberty as prayed for.
2. The contentions of the petitioner raised in this petition are specifically kept open.