

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

WRIT PETITION NO. 8530 OF 2024

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Sambhaji Sahebrao Pawar And Ors. ...Petitioners
Versus
The State Of Maharashtra And Anr. ...Respondents

....

Mr.Sanjay P. Shinde for the Petitioners.

Ms.Gauri Jadhav, "B" Panel Counsel for the Respondent – State.

....

CORAM : AVINASH G. GHAROTE, J.
DATE : 24th JUNE 2024

P.C.:

1. The basic grievance is that consequent to an enquiry, directed under section 41(D) of the Maharashtra Public Trusts Act (MPT Act) which enquiry has to be conducted in terms of section 41(B) in the manner as provided under sections 37 and 38 in pursuance to which an opportunity must be granted to the trustees to submit an explanation, no such opportunity has been granted and the impugned order dated 17.5.2024 therefore, suffers from this illegality. A perusal of the impugned order does not indicate

the satisfaction of this requirement, *prima-facie*.

2. Issue notice for final disposal by all modes permissible, returnable on 8.7.2024. Learned AGP waives notice for respondent no.1.

(AVINASH G. GHAROTE, J.)