



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17080 OF 2024

Mandar Rajaram Shinde

... Petitioner.

Versus

Vilas Prabhakar Sawant and Anr.

... Respondents.

Mr. Dinesh Tiwari a/w. Mr. Anish Sharma, for the Petitioner.
Mr. Vishal C. Ghosalkar, for Respondent Nos.1 and 2.

Coram : Sharmila U. Deshmukh, J.

Date : November 25, 2024

P. C. :

1. The preliminary objection has been taken by the Respondent Nos.1 and 2 of the availability of an alternate remedy under Sub-section (5) of Section 41E of the Maharashtra Public Trusts Act, 1950. In light of the alternate remedy being available, this Court is not inclined to entertain the Petition under Article 227 of the Constitution of India.

2. Needless to clarify that this Court has not gone into the merits of the matter and as such, by keeping open all rights and contentions, the Petition is disposed of by relegating the Petitioner to the alternate remedy under Section 41E of the Trusts Act.

[Sharmila U. Deshmukh, J.]