

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17303 OF 2024
AND
WRIT PETITION NO. 17305 OF 2024.

Radhabai Vithabai Yashwantrao Holkar Trust
and Another.

...Petitioners.

Versus

Ayodhyabai Jyotirao Suryavanshi and Others.

...Respondents.

*Mr. S. S. Panchpor, Mr. Aashay Rabade and Ms. Pradnya Borhade for the
Petitioner.*

Ms. S. D. Chipade, AGP for Respondent-State in WP No. 17303 of 2024.

*Mr. Kedar Dighe, Addl. Govt. Pleader and Ms Savita Prabhune, AGP for
Respondent-State in WP No.17305 of 2024.*

Coram : Sharmila U. Deshmukh, J.

Date : December 4, 2024.

P. C. :

1. Heard.
2. The Application challenging the maintainability of the Application filed under Section 47 of the Maharashtra Public Trusts Act, 1950 [for short, "***the Trusts Act***"] came to be rejected. The contention of learned counsel for the petitioner is that the definition of the expression "persons interested" take within its fold person having interest in the affairs of the Trust and not the property of the Trust. He submits that Respondent Nos.1 to 5 who were the Applicants before the Charity Commissioner are the tenants and not the persons

interested within the definition of Section 2(10) of the Trusts Act.

3. Issue Notice to the Respondents returnable on **15th January, 2025**. Learned AGP waives notice for Respondent No.6.

[Sharmila U. Deshmukh, J.]