



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 WRIT PETITION NO. 4289 OF 2025

SARANSH MAHENDRA BHAVSAR

VERSUS

THE ASSISTANT CHARITY COMMISSIONER DHULE AND OTHERS

...

Mr. Sachin Deshmukh h/f. Mr. Majit S. Shaikh, Advocate for the
Petitioner.

Mr. P. P. Dawalkar, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.2.

...

AND

39 WRIT PETITION NO. 4291 OF 2025

SARANSH MAHENDRA BHAVSAR

VERSUS

THE ASSISTANT CHARITY COMMISSIONER DHULE AND OTHERS

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Mr. Sachin Deshmukh h/f. Mr. Majit S. Shaikh, Advocate for the
Petitioner.

Mr. P. P. Dawalkar, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.5.

...

AND

40 WRIT PETITION NO. 4292 OF 2025

SARANSH MAHENDRA BHAVSAR

VERSUS

THE ASSISTANT CHARITY COMMISSIONER DHULE AND OTHERS

...

Mr. Sachin Deshmukh h/f. Mr. Majit S. Shaikh, Advocate for the
Petitioner.

Mr. P. P. Dawalkar, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.2.

...

AND

62 WRIT PETITION NO. 4364 OF 2025

SARANSH MAHENDRA BHAVSAR

VERSUS

THE ASSISTANT CHARITY COMMISSIONER DHULE AND OTHERS

...

Mr. Sachin Deshmukh h/f. Mr. Majit S. Shaikh, Advocate for the Petitioner.

Mr. P. P. Dawalkar, AGP for Respondent-State.

Mr. Mukul S. Kulkarni, Advocate for Respondent No.2.

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CORAM : KISHORE C. SANT, J.**DATE : 4th APRIL 2025****P.C.:-**

1. Heard learned counsel for the respective parties for some time.
2. An applications of this Petitioner seeking intervention in Inquiry Application No.586 of 2023 pending before the Assistant Commissioner, Dhule came to be rejected.
3. These four petitions have identical facts and identical circumstances involving identical question and the Petitioner in all the petitions and the Respondents are same, therefore, are taken together. It is the case of the Petitioner that the inquiry report is filed by the Reporting Trustees in these petitions. Application Nos.584 of 2023, 585 of 2023, 586 of 2023 and 586 of 2023 are filed by respective Reporting Trustees. The Petitioner filed applications for intervention. It is the case of the Petitioner that the Petitioner is having interest in the trust, as he has contributed in the working of the trust and he can

taken active part in the affairs of the trust and thus he can assist the learned Assistant Charity Commissioner in the proceedings. The said applications came to be rejected by the learned Assistant Charity Commissioner holding that the Petitioner failed to show his personal interest in the affairs of the trust. The Petitioner is thus before this Court by way of there writ petitions.

4. Mr. Sachin Deshmukh holding Mr. Majid Shaikh, learned counsel for the Petitioner vehemently argued that the trust runs various activities as is clear from the trust deed. The Petitioner has contributed and has taken part in various activities of the trust. It is for that purpose he filed an application. He is nominated to the post of Regional Vice President of the party; namely, Rashtrawadi Yuvak Congress Party, office bearer of the party are the trust. The name of the trust is also Rashtrawadi Charitable Trust, Dhule. He submits that thus the working of both the institutions runs concurrent to each other. The Petitioner has also contributed and worked for the trust and thus he has personal interest.

5. The learned Advocate invited attention of this Court to the definition given in Section 2 Sub-section 10 of the Maharashtra Public Trust Act, which defines “person having interest”. He submits that the definition includes even a person who is beneficiary of the trust. He

submits that the learned Assistant Charity Commissioner has failed to consider this very aspect and has committed an error. He prays for allowing the applications of intervention by quashing and setting aside the impugned orders.

6. Mr. Kulkarni, learned Advocate appearing for Reporting Trustees submits that infact the trust is distinct from the political party. Only because of the similarity in the name, it cannot be said that the trust is run by the political party. The Petitioner claims to be interested person by virtue of being office bearer of the political party. However, that itself cannot make him a person interested in the activities of the trust. He prays for rejection of the writ petition.

7. The learned AGP for Respondent No.1 also opposes the writ petitions. He supports the impugned orders.

8. This Court has gone through the definition of “person interested” as given in Section 2 Sub-section 10 of the Maharashtra Public Trusts Act, 1950. This Court has also gone through the order passed by the learned Assistant Charity Commissioner. In paragraph 17 of the order the learned A.C.C. has observed that in the trust deed, there is no mention of any political party. There is nothing to show that the office bearer of the particular political party shall be the trustees of the trust. The trust was established by a private person and

not by any political party. In the application, it is not stated as to how and in what way, the Petitioner can assist the Court in reaching to a proper conclusion. This Court does not find any perversity in the reasoning of the learned Assistant Charity Commissioner. The Petitioner cannot be said that the person interested in the affairs of the trust. This Court finds that the Petitioner has failed to establish the case calling for interference at the hands of this Court.

9. This Court does not find any reason to entertain the writ petition. Writ Petitions, therefore, stand disposed off. No order as to costs.

(KISHORE C. SANT, J.)