



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3481 OF 2014

Rajiv Hariom Agrawal

VERSUS

Jalgaon District Leva Gujar Samaj Trust And Others

Mr. A. V. Indrale Patil, Advocate for Petitioner

Ms. R. R. Tandale, AGP for Respondent/State

CORAM : R. M. JOSHI, J.

DATE : 20th AUGUST, 2025

PER COURT :-

1. This petition takes exception to the order dated 15.06.2007 passed by Joint Charity Commissioner in application PTR No. A-367 (Jalgaon) permitting the trust to withdraw an application seeking permission for sale of the property of the trust.

2. Petitioner claims in such to be a person with whom an agreement to sale has been executed by the Trust in respect of the property in question. Trust filed application for seeking permission from Joint Charity Commissioner for sale of the said property. In the said proceedings, petitioner filed application for impleadment of the parties. In the meantime Trust passed resolution dated 04.02.2007 for withdrawal of the application. On the basis of

said resolution, the proceedings before Joint Charity Commissioner were sought to be withdrawn and accordingly were permitted to withdraw.

3. Learned counsel for petitioner submits that since there was already an agreement to sale executed by Trust in respect of the said property with the petitioner and an application for the impleadment of the party was pending. It was not open for the Joint Charity Commissioner to allow an application for permitting withdrawal of the application.

4. There cannot be any compulsion on the party to prosecute any proceedings.

5. When the Trust has passed resolution dated 04.02.2007 deciding not to prosecute an application, leave granted by Joint Charity Commissioner for its withdrawal cannot be faulted with. Needless to say that such withdrawal of the application would not affect the rights of the petitioner, if any, available in law. Hence there is no substance to cause interference in the impugned order.

6. Hence, Petition stands dismissed.

(R. M. JOSHI, J.)

bsj