

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8302 OF 2025**

Krushibhushan Dr Tanajirao Chorge Shikshan Va ..Petitioner
Sanshodahn Sanstha Through Its Sec Mlind P
Surve

Versus

Joint Charity Commissioner Kolhapur ...Respondent

Mr. Suhas Deokar, with Tanmay M. Shembavanekar and Shravan H.
Sul, for the Petitioner.
Mrs. M.S. Srivastava, AGP, for the Respondent-State.

CORAM: N. J. JAMADAR, J.

DATED : 7th AUGUST 2025

P.C.:

1. Heard Mr. Deokar, the learned Counsel for the Petitioner, and
Mrs. Srivastava, the learned AGP, for the Respondent-State.

2. The challenge in this Petition is to an order dated 13st January
2025, passed by the learned Joint Charity Commissioner, Kolhapur, on
an application seeking permission to sell the Trust property under
Section 36(1)(a) of the Maharashtra Public Trust Act 1950. The
Application was uncontested.

3. From the perusal of the impugned order, it becomes evident that
the learned Joint Charity Commissioner came to the conclusion that the
sale of the subject property is necessary to fulfill the objects of the Trust.

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However, the Application came to be rejected on the ground that the property could fetch more value than Rs. 25 lakhs for which the Petitioners were offering to sell the subject property.

4. The Petitioners have placed on record a Valuation Report which indicates that the fair market value of the property was Rs. 24,39,000/-.

5. If the learned Charity Commissioner was of the view that the subject property could fetch a better value, the Application could not have been straightaway rejected by the learned Charity Commissioner.

6. It does not appear that the learned Charity Commissioner took any steps to ascertain the fair market value of the property or directed the Petitioner to publish a fresh notice in the newspaper inviting bids for the subject property.

7. In this view of the matter, the impugned order cannot be sustained. The impugned order stands quashed and set aside.

8. The Application stands restored to the file of the learned Joint Charity Commissioner, Kolhapur.

9. The learned Charity Commissioner may pass appropriate orders to invite fresh bids for the sale of the subject property, by the office of the Charity Commissioner, at the cost and expenses of the Trust, or direct the Petitioner to publish fresh advertisement inviting bids or obtain fresh valuation report with regard to the fair market value of the subject property from another Government approved valuer.

10. After ascertainment of the fair market value of the subject property and evaluation of the bids which may be submitted for the purchase of the subject property, the Charity Commissioner may pass further appropriate order on the Application, in accordance with law.

11. The Petition stands disposed.

[N. J. JAMADAR, J.]