

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6388 OF 2025

Vishwas Ramchandra Patne ... Petitioner
Versus
Balchandra Ganpat Patne & Ors. ... Respondents

Mr. Pradeep Dalvi a/w Priya Dalvi for the Petitioner.

**CORAM: MANISH PITALE, J.
DATE : 24th JUNE 2025**

P.C. :

- . Heard learned counsel for the petitioner.
2. By this petition, the petitioner is challenging concurrent orders of the Assistant Charity Commissioner, Joint Charity Commissioner and the District Court, whereby the change report submitted under Section 22 of the Maharashtra Public Trusts Act, 1950, was rejected.
3. The learned counsel for the petitioner submitted that in the present case, the original Authority i.e. the Assistant Charity Commissioner committed an error of jurisdiction by going into issues, which could not have been decided in a proceeding under Section 22 of the said Act. It was submitted that the nature of objection raised by the objector did not mention any of the allegations which have been found to be true by the Assistant Charity Commissioner and erroneously confirmed by the Joint

Charity Commissioner and the District Court. It is emphasized that the objector himself conceded that he was present when general body meeting took place and therefore, there was no scope for the Assistant Charity Commissioner to have gone beyond the said set of circumstances to uphold the objections and then to reject the report submitted under Section 22 of the said Act.

4. This Court has perused the orders passed by the Assistant Charity Commissioner, the Joint Charity Commissioner and the judgment and order dated 19th April 2025 passed by the District Court. A perusal of the same shows that findings of facts have been rendered concurrently by the District Court and the aforesaid two Authorities under the said Act, against the petitioner. The findings of facts include a specific finding that the material on record does not support the assertion that the general body meeting for conducting the election, leading to submission of the change report ever took place. In fact, one of the persons said to have been elected himself, in the evidence, stated that the general body meeting was adjourned and due to darkness, it was informed that a subsequent date would be communicated and that thereafter, he was called to the residence of the President to sign certain consent documents, indicating that he had been elected.

5. Such material has been appreciated and taken into consideration by the Authorities under the said Act as well as the District Court, to render concurrent findings against the petitioners.

6. In view of the above, no case is made out for exercising writ jurisdiction. Hence, the petition is dismissed.

MANISH PITALE, J.