

2025:BHC-AS:4512-DB



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4358 OF 2024

Maharashtra Amateur Athletic Association, Pune ... Petitioner
Vs.
The Deputy Charity Commissioner, Pune & Ors. ... Respondents

Mr. Sagar Kursija a/w. H. D. Chavan for Petitioner.
Ms. P.J. Gavhane, AGP for the State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.
DATED: 29 JANUARY 2025

P.C.

1. We have heard Mr. Kursija, learned counsel for the petitioner and Ms. Gavhane, learned AGP for the respondent-State.
2. The grievance of the petitioner is that since 2020 none of the change reports which are filed by the petitioner have been decided. In view of the pendency of such change reports and others applications, this petition is filed praying for the following substantive reliefs:

- a) Rule may kindly be issued;
- b) this Hon'ble Court by its appropriate writ, order or direction may kindly be pleased to direct respondent nos. 1 and 2 to decide all the change reports and appeals pertaining to the registered trust viz. Maharashtra Amateur Athletics Association having registration no. F-602 – Pune within a period of 3 months or within such period as this Hon'ble Court may deem fit;
- c) this Hon'ble Court by way of its appropriate writ, order or direction may kindly be pleased to direct the respondent authorities to hold election to the managing committee of the registered trust viz. Maharashtra Amateur Athletics Association having registration no. F-602 – Pune after all the change reports pertaining to the said trust are decided;

d) this Hon'ble Court by its appropriate writ, order or direction may kindly be pleased to direct respondent no. 2 to conduct an inquiry as directed by order dated 22.02.2023 passed by the learned Deputy Charity Commissioner, Pune Division, Pune in Application No. 17 of 2022 and further be directed to file a comprehensive report within a period of 1 month as within such time as this Hon'ble Court may deem fit;

3. Considering the grievances being urged by the petitioner, as the proceedings are pending before the authority under the Maharashtra Public Trusts Act, 1950, it may not be possible for us to consider the rival contentions, as they are required to be decided by the said authorities under the pending proceedings. However, as the grievance of the petitioner is to the effect that for a substantial period of more than 10 years, the petitioner's applications are not being decided, we are of the opinion that all the change reports and/or any other applications in that regard are required to be taken up to be decided by appropriate orders to be passed in accordance with law.

4. In this view of the matter, we dispose of the petition in terms of the following order:

ORDER

(i) Let the pending change reports as also other applications be heard as expeditiously as possible preferably within a period of six months from today.

(ii) All contentions of the parties in that regard are expressly kept open.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)