

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8604 OF 2025

Shree Bhairavnath Devsthan Trsut, Chakan
through its Trustee Kisan Sopan Gore ...Petitioner
Versus
Joint Charity Commissioner, Pune and ors. ...Respondents

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KULKARNI

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Mr. Suraj Gurav, i/b Aditya Gurav, for the Petitioner.
Mr. Dilip Bodake, for Respondent No.2.
Mr. Hamid Mulla, AGP for Respondent Nos.1 and 3.

CORAM: N. J. JAMADAR, J.
DATED: 3rd NOVEMBER, 2025

Oral Order:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order dated 8th May, 2025, passed by the learned Joint Charity Commissioner, Pune, in Appeal No.37 of 2025, whereby the learned Joint Charity Commissioner had stayed the execution and implementation of the order dated 5th May, 2025 passed by the learned Assistant Charity Commissioner.
3. By the said order dated 5th May, 2025 passed in Misc. Application No.121 of 2025, the learned Assistant Charity Commissioner has directed the non-applicants – appellants

before the Joint Charity Commissioner to stop collecting the amount under the garb of the permission obtained under Section 41C of the Maharashtra Public Trust Act, 1950. The learned Joint Charity Commissioner was of the *prima facie* view that the Assistant Charity Commissioner has exceeded his jurisdiction in cancelling permission granted under Section 41C of the Act, 1950.

4. Since the Appeal No.37 of 2025 assailing the legality, propriety and correctness of the order dated 5th May, 2025, is sub-judice and the issue of authority to collect the amount would assume prominence in the month of May, 2026, when the annual congregation (*yatra*) would be held, it would be expedient in the interest of justice that, Appeal No.37 of 2025 itself is decided by the Joint Charity Commissioner as expeditiously as possible.

5. Hence, the petition stands disposed with a request to the learned Joint Charity Commissioner, Pune, to decide Appeal No.37 of 2025, on its own merits and in accordance with law as expeditiously as possible and, preferably, within a period of four months from the date scheduled for the appearance of the parties.

6. Let the parties appear before the learned Joint Charity Commissioner on 15th November, 2025.

[N. J. JAMADAR, J.]