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915-WP-6722-2024

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

915 WRIT PETITION NO. 6722 OF 2024

Sakri Taluka Adivasi Seva Mandal Pimplaner Through Its Authorized
Person

VERSUS

State Of Maharashtra Through The Additional Secretary And Others

WITH

WRIT PETITION NO. 4973 OF 2018

WITH

CIVIL APPLICATION NO. 9043 OF 2024

IN WP/6722/2024

WITH

WRIT PETITION NO. 15225 OF 2025

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Mr. Viraj S. Yelmane h/f Mr. M.S. Deshmukh, Advocate for the Petitioner
in WP/6722/2024.

Mr. P. R. Katneshwarkar, Senior Advocate h/f Mr. Pratik A. Bhosle,
Advocate for petitioner in WP/15225/2025.

Ms. Rashmi P. Gaur, AGP for Respondent-State.

Mr. B. Warma, Advocate for Respondent No.2 in WP/15225/2025.

CORAM : KISHORE C. SANT &

SUSHIL M. GHODESWAR, JJ.

DATE : 25th FEBRUARY 2026.

PC :-

1. A deadlock situation is brought before this Court, when there is
no elected body or nominated body in existence in the Trust, and the

proceedings were pending against each other under Section 41-D of the Maharashtra Public Trust Act. No one is authorised to operate bank account. The inquiries were going on and the charges were framed against some of the trustee in that regard.

2. This Court in WP/13149/2017 had passed an order directing that the bank account be operated through a person against whom charges under Section 41-D are not framed with one person from the office of the Assistant Charity Commissioner. The petitioner in WP/15225/2025 was thus authorised to operate the bank account of the Trust alongwith Officer from the office of Assistant Charity Commissioner, Dhule, and that arrangement was continued. Thereafter, scheme application was filed under Section 50 of the said Act. In the said scheme application, the present petitioner was not a party. The scheme application came to be allowed and a body was constituted to look after the affairs of the Trust for four months or till the next elected body assumed charge. However, the said order came to be challenged in an appeal before the learned Joint Charity Commissioner, Nashik.

3. The petitioner filed interim application in the said appeal seeking permission to operate the bank account. It is specifically stated in the application that the petitioner is not allowed to operate the bank account as per the order passed by High Court in WP/13149/2017. The learned Assistant Charity Commissioner observed in para 12 of the order that there is no such letter showing that the petitioner is not allowed to operate bank account annexed by the petitioner to the application and rejected the application by impugned order dated 21.11.2025. It is in this view of the matter, the petitioner has approached this Court. Some other writ petitions are also filed by the different parties. Those are also on board today.

4. This Court finds that some interim arrangement needs to have been made by the authorities; however, no such arrangement is made. This Court finds that present petition can be disposed off by directing the Joint Charity Commissioner, Nashik to pass an order in Appeal No.123/2025 making interim arrangement till the decision of the appeal

5. It would be preferable if the arrangement is again made on the

lines of the earlier order passed by this Court by considering record. We expect the said order be passed within four weeks from today. It is desirable to decide the appeal itself within three months from today.

6. The parties are at liberty to file fresh application for the purpose of securing interim directions.

7. Writ Petition No.15225/2025 stands disposed off.

8. Needless to say that all the parties to the Appeal and the present petitioner shall be heard while passing the order.

WP/6722/2024 and WP/4973/2018 with CA/9043/2024

9. Stand over to 11.03.2026.

[SUSHIL M. GHODESWAR, J.]

[KISHORE C. SANT, J.]