



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

WRIT PETITION NO. 4308 OF 2026

PUNDLIKRAO HARJI PATIL AND ORS
VERSUS
SUBHASH TUKARAM PATIL AND ORS

...
Mr. Shivsamb N. Janakwade, Advocate for the Petitioners.
Mr. S. P. Joshi, AGP for Respondents-State.
Mr. Ganesh A. Gadhe, Advocate for Respondent No.2.

...
CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st APRIL, 2026.

P.C.:-

1. The present Writ Petition takes exception to order dated 10.03.2026 passed by Joint Charity Commission, Nanded in Revision Application No.29/2025, thereby remanding matter back for enquiry to Assistant Charity Commissioner, Nanded.
2. Perusal of impugned order suggests that order regarding registration of Trust was subject matter of Appeal before Joint Charity Commissioner under Section 70 of Maharashtra Public Trust Act (for short 'MPT Act'). The Assistant Charity Commissioner, Nanded had passed order of registration of Trust in File No.703/2024. The Joint Charity Commissioner observed that neither there was report of enquiry in terms of Section 19 of MPT Act nor there are findings of Assistant Charity Commissioner as regards to enquiry, which preceded for registration of Trust. Apart from that, Joint Charity Commissioner found several discrepancies regarding description of Trust property and names of persons who

were present in Gram Sabha while passing resolution for registration of temple as public trust. Eventually, by setting aside order dated 29.05.2025 passed in Enquiry No.703/2024, Assistant Charity Commissioner is directed to cause fresh enquiry and pass order after giving opportunity of hearing to all concerned within period of six weeks.

3. This Court finds that order of registration of Trust which was not preceded by Enquiry Report under Section 19 of MPT Act and consequential findings of Deputy or Assistant Charity Commissioner cannot be countenanced. The Joint Charity Commissioner has rightly considered aforesaid aspect and remanded matter back for re-enquiry. This Court finds no fault in approach of Joint Charity Commissioner.

4. In result, Writ Petition stands dismissed.

(S. G. CHAPALGAONKAR)
JUDGE