

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9322 OF 2025

Dhairyasheel Shivajirao Bhosale

VERSUS

The State of Maharashtra and Ors.

...

Mr. Sanjeev Kadam, Senior Advocate i/by Mr. Bhalchandra Mote,
Advocate for Petitioner.

Mr. Chetan Patil a/w Mr. Bhushan Jadhav, Mr. Rajwardhan Rane and
Mr. Prathmesh Magdum, Advocate for Respondent No.4.

Mr. Prashant Bhavake, Advocate for Respondent Nos.5.

Mr. B.V. Samant Addl. G.P. a/w Ms. Tejas J. Kapre, AGP for the
Respondent Nos.1 and 2-State.

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CORAM : MILIND N. JADHAV, &
NANDESH S. DESHPANDE, JJ.

DATE : 16th JUNE, 2026.

P. C. :

1. Heard Mr. Kadam, learned Senior Counsel appearing for the
Petitioner along with learned Advocate Mr. Bhalchandra Mote. The
contesting parties are Respondent Nos.4 and 5, represented by
learned Advocate Mr. Chetan Patil and Mr. Prashant Bhavake,
respectively.

2. A contrary claim seeking entitlement to run the Trust has been made by the warring parties. Adjudication is sought on the basis of allegations and counter-allegations before the Court in the present Petition. No purpose whatsoever will be served in adjudicating the dispute between the parties when the statutory Change Reports filed by the either parties qua the other side challenging the appointment of the parties to the Trust are pending before the office of the Charity Commissioner. The Competent Authority i.e. the Assistant Charity Commissioner is presently seized with such Change Reports filed in the last three years after dispute having arisen between the parties. The first two change reports in point of time are Change Report Nos.365 of 2023 and 366 of 2023 which are filed by the Petitioners. Subsequently, Change Report No.1246 of 2025 is filed by the Respondent No.5. There are certain allegations and counter allegations made, but we need not detain ourselves with adjudicating the same, since they will be substantively part and parcel of the submissions before the Competent Authority for determination of the Change Report.

3. A very recent Change Report is filed by Respondent No.4 bearing No.63 of 2026 challenging the ouster of Respondent No.5 as President and appointment of new person in his place which is

strongly refuted by Respondent No.5. The *inter se* rights and claims of the parties will necessarily have to be determined in the said proceedings. Such determination would require a statutory inquiry under Section 22 of the Maharashtra Public Trusts Act, 1950, in accordance with law.

4. In this view of the matter, the Competent Authority, namely, the Assistant Charity Commissioner, is directed to hear and decide the aforesaid four change reports together, after granting an opportunity of hearing to all concerned parties, and to pass a speaking / reasoned order as expeditiously as possible and preferably within a period of eight weeks from today.

5. If there are any other pending change reports between the parties pending before the Charity Commissioner's Office which have not been brought to the notice of this Court, the same shall also be taken on board by the Assistant Charity Commissioner for adjudication and decision along with the four aforementioned Change Reports.

6. All contentions of the parties are expressly kept open.

7. Needless to mention that the Competent Authority shall determine the change reports strictly in accordance with law and

without being influenced by any of the pleadings made in the present Petition or by this order.

8. The Writ Petition stands disposed of in the above terms.

9. The parties shall appear before the Charity Commissioner along with a server copy of this order downloaded from the website of the High Court of Bombay tomorrow i.e. 17.06.2026 at 11:00 a.m. and the Competent Authority shall take cognizance of the same and determine the appropriate schedule for the hearing and disposal of the change reports.

[NANDESH S. DESHPANDE, J.]

[MILIND N. JADHAV, J.]

Sajakali