



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9942 OF 2025

Indian Hume Pipe Co. Ltd.

..Petitioner

**Versus**

Maharashtra Technical  
Education Society & anr.

...Respondents

Mr. Yuvraj Narvankar (through VC) a/w Raufa Shaikh, Ms.  
Radhika Kurdukar, for the Petitioner.

Mr. R S Apte, Sr. Advocate, a/w Padmanabh Pise i/b P  
Padmanabh & Associates, for the Respondent No. 1.

Ms. Savina Crasto, AGP for the Respondent – State.

**CORAM : N. J. JAMADAR, J.**

**DATE : 20<sup>th</sup> APRIL 2026**

**Oral Order :**

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to an order passed by the Joint Charity Commissioner, Pune, on 02<sup>nd</sup> April, 2025, whereby an application preferred by the petitioner under Section 73A of the Maharashtra Public Trust Act, 1950 ('the Act, 1950') seeking intervention in the application filed by the Respondent No. 1 – Trust under Section 36A of the Act, 1950, seeking permission of the Charity Commissioner to raise a loan from a bank, came to be rejected.
3. The learned Charity Commissioner has recorded that, the perusal of the documents relied upon by the petitioner shows

that there was not a single document filed by the petitioner as to how it was interested in the loan application filed by the Trust, nor there was any statement as to how the assistance of the petitioner/intervenor would be helpful in deciding the loan application.

4. The petitioner has filed an additional affidavit. A copy of the resolution passed by the Board of Control dated 09<sup>th</sup> October, 1962 is annexed to the additional affidavit (Annexure – A). The said resolution indicates that, the petitioner Company was admitted as a member of Respondent No. 1 – Trust, being a part of three companies of the then Walchand Group.

5. In the additional affidavit-in-reply filed on behalf of the respondent, the said factum of the passing of the resolution and admission of the petitioner as a member of the Trust is not controverted. It is the contention of the Respondent No. 1 – Trust that, the members list sought to be relied upon by the petitioner was not tendered before the learned Charity Commissioner, and, even otherwise, the said members list was a provisional and not a final list.

6. *Prima facie*, this Court finds that, the petitioner had placed material on record in the form of the resolution passed by the Board of Control, which indicated that, the petitioner was

admitted as a member of the Respondent No. 1 – Trust. In the face of such material, the learned Charity Commissioner could not have rejected the application by making an observation that, the petitioner had failed to place on record a single document to show as to how it was interested in the loan application.

7. Though Mr. Narvankar, the learned Counsel for the petitioner has raised other points, this Court consciously refrains from advertng to the submissions, canvassed by Mr. Narvankar, and controverted by Mr. Apte, the learned Senior Advocate, as this Court is of the view that, the application for intervention is required to be decided afresh by the learned Charity Commissioner after considering the entire material on record.

8. Hence, the following order:-

**:: O R D E R ::**

- i) The Writ petition thus stands allowed.
- ii) The impugned order stands quashed and set aside.
- iii) The application for intervention in Loan Application No. 58/2023 stands restored to the file of the learned Charity Commissioner.

iv) The learned Charity Commissioner is requested to hear and decide the application for intervention under Section 73A of the Act, 1950 afresh, after considering the entire material on record and providing an opportunity of hearing to the parties, without being influenced by the observations in the impugned order and this order as well.

v) The parties shall appear before the learned Charity Commissioner on 22<sup>nd</sup> April, 2026. The learned Charity Commissioner shall first decide the application for intervention and, thereafter, depending on the outcome of the application, hear and decide the Application No. 58/2023.

vi) All the contentions of all the parties are expressly kept open for consideration by the learned Charity Commissioner.

[N. J. JAMADAR, J.]