



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 206 OF 2026

Mehendrakumar Mohanlal Ajmera

...Appellant/
Petitioner

Versus

Ashok Parasmal Majni And Ors.

...Respondents

AND

FIRST APPEAL (St.) NO. 5707 OF 2026

Mr. Sanjay Jain, Counsel, Mr. Sanjay Udeshi, Mr. Darshan Ashar i/b Sanjay Udeshi and Co. for Appellants in FA No. 206 of 2026.

Mr. Ankit Lohiya, Zufiqar Jariwala i/b Jariwala and Associates for Appellants in FA (St.) No. 5707 of 2026.

Mr. Aseem Naphade i/b Mr. Ravi Kumar Mishra, Ms. Geetanjali, Maneesh Mishra for Respondents in FA No. 206 of 2026 and FA(St.) No. 5707 of 2026.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : MARCH 9, 2026

P. C. :

1. The order impugned in the present Appeal is the judgment and order dated 2nd July, 2025 passed by Joint Charity Commissioner in an application filed by the Respondents under Section 47 of the Maharashtra Public Trusts Act, 1950 raising various contentions including the contention that none of the trustees are alive. First

Appeal No. 206 of 2026 has been filed by one of the trustees of the Trust who was stated to be not traceable in the Application.

2. First Appeal (St.) No. 5707 of 20206 has been filed by Appellant claiming that the property belonging to the Appellant has been included while appointing the trustees in the judgment of 2nd July, 2025.

3. Upon query by this Court, considering that the Appellant in the First Appeal No. 206 of 2026 is alive and though the notice was published, the Appellant was unaware of the notice and hence, could not participate in the proceedings, learned counsel for parties, on instructions, would submit that the impugned order be quashed and set aside and matter be remanded to Joint Charity Commissioner for consideration afresh after hearing the present Appellant who was the original Respondent No. 3.

4. In light of the said consensus, the impugned judgment dated 2nd July, 2025 is hereby quashed and set aside. The Application No. 90 of 2024 is remanded to file of Joint Charity Commissioner to be heard afresh.

5. The parties to appear before the Joint Charity Commissioner on 23rd March, 2026 at 11:30 a.m.

6. The Joint Charity Commissioner to thereafter, issue further directions after permitting the parties to file their response.

7. The Joint Charity Commissioner is directed to consider the application afresh uninfluenced by order dated 2nd July, 2025.
8. It is open for Appellant in the First Appeal (St.) No. 5707 of 2026 to file an appropriate application for intervention in the proceedings before Joint Charity Commissioner which will be considered on its own merits and in accordance with law.
9. The consequent act of entering the name of Respondents in the Public Trust Register to be kept in abeyance till the application is finally adjudicated by Joint Charity Commissioner.
10. In view of above, nothing survives for consideration in pending Applications, if any, and the same stand disposed of.

[SHARMILA U. DESHMUKH, J.]