

Ajit

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2122 OF 2026**

Prabhakar Daulat Aher And Anr.

...Petitioners

Versus

Vijay Panditrao Patil And Ors.

...Respondents

Mr. Bhushan Raut a/w Ishwari Pendse, for the Petitioners.

Ms. Snehal S. Jadhav, AGP for the Respondent-State.

CORAM: N. J. JAMADAR, J.

DATE : 09th MARCH 2026

P.C.:

- 1.** Heard learned counsel for the parties.
- 2.** The challenge in this petition is to an order dated 5th December 2025 passed by the Joint Charity Commissioner, Nashik Division, Nashik, whereby an application preferred by the Petitioner (Exhibit-27) seeking the relief of holding the elections of Nashik Zilla Vidhayak Karya Samiti, Satana, a Public Trust, under the supervision of a representative of the Charity Commissioner, came to be rejected.
- 3.** The Petitioner has filed Inquiry Application No. 8 of 2021 under Section 41E of the Maharashtra Public Trusts Act, 1950. When the said application was kept for final arguments, the Petitioner preferred the instant application (Exhibit-27) seeking directions for holding the elections of the Trust.

4. The learned Joint Charity Commissioner rejected the application, observing, *inter alia*, that the prayer for directions under Section 41A was not maintainable as the application for relief under Section 41E was awaiting adjudication.

5. This Court does not find any infirmity in the impugned order. In the event the learned Charity Commissioner comes to the conclusion that the elections to the managing committee of the Trust are required to be held, the Charity Commissioner cannot be precluded from passing appropriate directions under Section 41A of the Maharashtra Public Trusts Act, 1950.

6. Thus, the petition stands disposed with a request to the learned Joint Charity Commissioner to examine the necessity of the directions as prayed in the application (Exhibit-27) at the time of the final adjudication of Inquiry Application No.8 of 2021 under Section 41E of the Maharashtra Public Trusts Act, 1950, as expeditiously as possible.

7. The petition stands disposed.

[N. J. JAMADAR, J.]