

VRJ

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

WRIT PETITION NO.11288 OF 2025

VAIBHAV
RAMESH
JADHAV

Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2025.10.17
15:27:44 +0530

Shrishailya Sidhramayya Swami & Ors. ... Petitioners

V/s.

Radhakrishna Gensidha Bandgar & Anr. ... Respondents

Mr. Ashutosh Kulkarni (through V.C.) with Mr. Akshay Kulkarni for the petitioners.

Mr. S. S. Jadhavar (through V.C.) i/by Mr. Chaitanya Khade for respondent No.1.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : OCTOBER 17, 2025

P.C.:

1. The instant writ petition takes exception to order dated 4th July 2025 passed by learned Assistant Charity Commissioner, Solapur, in Miscellaneous Application No.329 of 2025, whereby provisional change report submitted by respondent No.1 is accepted.

2. Mr. S. S. Jadhavar, learned advocate appearing for respondent No.1, raises an objection as to maintainability of the writ petition and submits that petitioners have no locus to challenge impugned order. They are neither trustees nor interested

persons in respect of trust, and order passed by learned Assistant Charity Commissioner, Solapur, can be challenged before Joint Charity Commissioner in revision. As such, there is no reason to entertain present writ petition.

3. Mr. Ashutosh Kulkarni, learned advocate appearing for petitioners, submits that since application filed by petitioners under Section 73A of Maharashtra Public Trusts Act, 1950, in Change Report No.1813 of 2023 was rejected by learned Joint Charity Commissioner, Pune, vide order dated 10th January 2025, remedy of filing a revision against impugned order would not be available to them. The petitioners have already challenged order rejecting their application for impleadment before this Court in Writ Petition No.1996 of 2025.

4. Today, this Court decided Writ Petition No.1996 of 2025 and remitted application filed by petitioners under Section 73A of the Maharashtra Public Trusts Act, 1950, for a fresh inquiry to Assistant Charity Commissioner, Solapur. Depending upon result of such inquiry, if petitioners are found to be interested persons or members of trust as claimed by them, they would have locus to challenge order passed in Change Report No.1813 of 2023 by

filing a revision before the Joint Charity Commissioner.

5. In that view of the matter, present writ petition stands disposed of, with liberty to petitioners to challenge impugned order dated 4th July 2025, passed by learned Assistant Charity Commissioner, Solapur, in Miscellaneous Application No.329 of 2025, depending upon result of the Assistant Charity Commissioner on petitioners' prayer for impleadment.

6. Pending interlocutory application(s), if any, stand disposed of.

(S. G. CHAPALGAONKAR, J.)