



*Shabnoor*

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2131 OF 2010

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Bombay Diocesan Trust Assn. Pvt. Ltd.  
& Ors. ... Petitioners  
V/s.  
Charity Commissioner & Ors. ... Respondents

WITH  
WRIT PETITION NO.2122 OF 2010

Bombay Diocesan Trust Assn. Pvt. Ltd. ... Petitioners  
& Ors.  
V/s.  
Charity Commissioner & Ors. ... Respondents

None for the Petitioners.

Mrs. V. S. Nimbalkar, AGP, for the State – Respondent  
Nos.1 and 2.

CORAM : AMIT BORKAR, J.

DATED : APRIL 1, 2026

P.C.:

1. In both the petitions, the challenge is to the order passed under Section 36 of the Maharashtra Public Trusts Act, 1950, whereby permission sought by the petitioners came to be rejected.
2. Having regard to the passage of time, the subject matter of the petitions has been rendered purely academic. After a lapse of more than sixteen years, the question of granting such permission at this stage does not arise. However, it is clarified that in the event



the trustees intend to create third party rights in respect of the trust property, they shall be at liberty to make a fresh application under Section 36 of the said Act. In such an event, the Charity Commissioner shall consider the same on its own merits and in accordance with law, having regard to the relevant parameters.

**3.** In view of the above, the petitions, being of the year 2006, do not merit consideration and are accordingly disposed of as infructuous.

**(AMIT BORKAR, J.)**