

rajshree

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12871 OF 2022**

F.N. Social Education Medical

Charities Trust

....Petitioner

V/S

Pune Municipal Corporation & Anr.

....Respondents

Mr.Malhar Zatakia a/w Ms.Bhoomika Vyas and Mr.Shantanu Shetty i/b Mr.Sangram Chinnappa for the Petitioner.

Mr.Ashutosh Kumbhkoni, Senior Advocate a/w Mr.Manish Kelkar and Ms.Gauri Phadake for Respondent No.2.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 24th MARCH 2026

P.C. :

1 The Petition raise challenge to the order dated 29/09/2022, upholding the development permission granted in favour of Respondent No.2.

2 The learned senior advocate Mr.Ashutosh Kumbhkoni representing Respondent No.2, by filing an Affidavit on 16/02/2026 has raised an objection about the Petition being entertained, at the instance of Mr.Lazarus Chinnappa who is

described as a Trustee of the Petitioner Trust and who has also affirmed Affidavit in support of the Petition on 15/10/2022. By specifically relying on the documents on record it is specifically contended by Mr.Kumbhkoni that Mr. Chinnappa, on the date of filing of the Petition, was not a trustee of the Petitioner Trust and in fact according to him , though on 14/10/1994 a Resolution was passed by the Trust appointing him as Trustee and change report was filed, but before the Change Report could be accepted on 08/12/1996, new trustees were appointed by Resolution of the Trust and this did not include Mr.Lazarus Chinnappa.

In pursuance thereof, a change report was filed and which is approved on 04/02/2000 and Appeal raising a challenge to the said report filed by the Trust through Mr.Lazarus Chinnappa, is recently dismissed by the Joint Charity Commissioner, Pune on 25/02/2026.

In light of aforesaid sequence of events, according to Mr.Kumbhkoni, the Petition cannot be entertained at the instance of Mr. Lazarus Chinnappa, though he is also is desirous of contesting the matter on merits, but this objection is raised by him by way of preliminary objection .

3 The learned counsel for the Petitioner has tendered affidavit of service depicting service upon Respondent No.1, which is taken on record and he also seek time of two weeks.

At his request, we direct listing of the Petition on 15/04/2026

[MANJUSHA DESHPANDE, J.]

[BHARATI DANGRE, J.]