

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13769 OF 2024

Panvel Education Society

...Petitioner

Versus

The State Of Maharashtra And Ors

...Respondents

Dr. Uday Warunjikar, a/w Sumit S. Kate, i/b Aditya Kharkar, for the Petitioner.

Mr. Hamid Mulla, AGP, for Respondent No.1-State.

Mr. Ratnesh M. Dube, for Respondent No.2.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 6, 2025

ORDER :

1. The order impugned in the instant case is an order passed by the Learned Assistant Charity Commissioner dated August 28, 2024, issuing directions to the trustees to conduct an election within a period of three months. It is the case of the Respondents that such election took place on January 3, 2025 and the requisite change report being change report No.180 of 2025 has been filed before the Learned Assistant Charity Commissioner and the same is pending.

2. Learned Counsel for the Petitioner would submit that the Learned Assistant Charity Commissioner had no authority to begin with to pass such an order under Section 41A of the Maharashtra Public Trust Act, 1950. That apart, he would submit that election purportedly

conducted on January 3, 2025 was itself not in compliance with due process and therefore he would desire to bring on record such subsequent developments and also impugn the election over and above the order currently impugned.

3. The Petitioner is granted liberty to amend the Petition to bring on record the subsequent developments and also effect consequential changes including amendments to the prayers in the Petition. Liberty to do so no later than November 13, 2025. Liberty to effect private service by all permissible modes including by electronic means, and to file a service affidavit, with tangible evidence of service, on or before the next date.

4. The amended Petition shall be served on all the Respondents no later than November 13, 2025. Reply to the amended Petition may be filed by November 27, 2025.

5. Stand over to ***November 28, 2025***.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[**SOMASEKHAR SUNDARESAN, J.**]