



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 5816 OF 2026

SACHIN KRUSHNARAO JOSHI

VERSUS

SHIVAI ALIAS SHIWABAI SANSTHAN THR ITS PRESIDENT  
AND ORS

...  
Mr. Vikas S. Bhale, Advocate for the Petitioner.

...  
**CORAM : S. G. CHAPALGAONKAR, J.**  
**DATED : 15<sup>th</sup> JUNE, 2026.**

P.C.:-

1. The present petition is filed seeking injunction against respondents from implementing decision against petitioner pending Application No.1/2026 before Assistant Charity Commissioner seeking permission to file suit under Sections 50 and 51 of Maharashtra Public Trust Act, 1950.

2. The petitioner contends that he has hereditary and customary right of seva-pooja and rituals at Shri. Shivai @ Shiwabai Temple situated at village Shivana. The petitioner has already filed application before Assistant Charity Commissioner seeking permission to file suit against Trust in respect of declaration of his right and injunction. He submits that during pendency of such application before Assistant Charity Commissioner, his interest deserves to be protected.

3. This Court finds that petitioner is not challenging any order passed by Quasi Judicial or Judicial Authority in exercise of powers



under statute. The prayers in Writ Petition are in nature of injunction, which cannot be entertained under Article 227 of Constitution of India. Pertinently, petitioner's application to seek permission to file suit in terms of Maharashtra Public Trust Act is subjudice and same is not yet decided.

4. In this backdrop, granting any relief in present Writ Petition would not be permissible. Hence, Writ Petition stands dismissed, keeping all remedy open for petitioner.

**(S. G. CHAPALGAONKAR)**  
**JUDGE**