



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3287 OF 2021

Shri Dr. Vasif Tausifuddin Ahmed and others

Vs.

The State of Maharashtra, Through its Secretary, Technical Education and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mrs. Gauri Venkatraman, Advocate for Petitioners
Ms. T.H. Khan, AGP for Respondent Nos.1 and 2 / State
Mr. N.P. Lambat, Advocate for Respondent No.3
Mr. F.T. Mirza, Senior Advocate a/b Mr. Paresh Thakur, Advocate for Respondent Nos.5 and 6

**CORAM: AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.**

DATED : 21st AUGUST, 2024

There is a statement made, that the respondent No.1 is entitled to an amount of Rs.3,41,85,332.75 from the State on account of outstanding scholarship / freeship, out of which part payment of Rs.1,50,00,000/- is stated to have been received. The learned Assistant Government Pleader for the respondents / State, therefore, to take instructions from the appropriate authorities as to within what time the balance of the above amount can be deposited in this Court so that the same can be distributed amongst the petitioners.

2. An application under Section 36(1-a) of the Maharashtra Public Trusts Act, 1950, is claimed to have been filed by the respondent No.5 / Trust for sale of certain immovable properties of the Trust so as to generate funds to meet the outstanding liability in the present petition. Such an application has been filed on 14.6.2024, however, the learned Assistant Charity Commissioner, Yavatmal, would not have jurisdiction to grant permission under Section 36(1-a) of the said Act, considering which, he is directed to transfer the aforesaid proceeding to the Joint Charity Commissioner, Amravati. The same shall be done forthwith upon receipt of the copy of this order, which shall be placed before him by the respondent No.4 by 23.08.2024. The Joint Charity Commissioner, Amravati upon receipt of the record and proceedings shall decide the same within a period of four weeks from the date of receipt of record and proceedings.

3. The respondent No.5 shall appear before the Joint Charity Commissioner, Amravati on 26.08.2024 and place a copy of this order to apprise him the order of this Court.

(SMT. M.S.JAWALKAR J.)

(AVINASH G. GHAROTE, J.)