

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

22 WRIT PETITION NO. 3410 OF 2015

RAKESH RADHE KANT BHARGAVA
VERSUS
UNION OF INDIA AND OTHERS

...

Advocate for Petitioner : Mr. A. G. Godhamgaonkar,
h/for Mr. Dwarkadas S Ladda And Mr. R M Sharma
Advocate for Respondents 1 to 3 : Mr. Nagode

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 18th August, 2016

ORDER:

1. Mr. Godhamgaonkar, learned counsel for the petitioner, submits that the ground, on which the application of the petitioner seeking certificate to practice as a Notary is rejected, is not tenable and sustainable. The application is rejected on the ground that Column 10(3) of Form I is incomplete. According to the learned counsel, the said column deals with the number of Notaries practicing in the said region. The respondents have better knowledge of the Notaries practicing in particular region as they have to issue notification every year. The same could not have been the ground to reject the application. The learned counsel further submits that even no notice is given to

the petitioner before rejecting the application. Reliance is placed on the judgment of the Division Bench of this Court in the case of **Nandkishor Gangaram Dhudkekar Vs. Union of India and anr.** reported in **2000(4) Bom.C.R. 519.**

2. The learned counsel for the respondent Union submits that the petitioner is required to submit the list of the Notaries practicing in the said region. As the same was not submitted, the order has been rightly passed. Even after expiry of six months, the petitioner is entitled to file fresh application.

3. We have considered the said submissions.

4. The petitioner does not dispute that he has not filled in the information as required in Column No.10(3) of Form I. Even the petitioner is having knowledge of the same as the list of notaries practicing in every region is published every year as per Section 6 of the Notaries Act, 1952. The petitioner could have submitted the same. Even otherwise, the order has been passed one and half years back. The petitioner was given opportunity to apply afresh after six months. The said period is over, long back.

5. Considering the above, there would be no impediment for the petitioner to apply afresh. In case, such application is made by the petitioner, the respondent authority shall consider the same on its own merits and in accordance with law and in that case, the impugned order would not come in the way of the petitioner.

6. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC