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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELATE JURISDICTION  
WRIT PETITION NO.9009 OF 2015

Kailas Maharudra Naik ...Petitioner  
vs.  
The Union of India ...Respondent

Mr.S.K.Shinde i/b T.D.Deshmukh for the Petitioner  
Mr.D.P.Singh for the respondent No.1.

CORAM : A.S.OKA, &  
C.V.BHADANG, JJ.  
DATE : JANUARY 4, 2016

P.C.:

1 Heard the learned counsel for the petitioner. The Union of India appointed the petitioner as a Notary under the Notaries Act,1952 (for short 'the said Act'). Accordingly, a certificate of practice was issued to the petitioner on 2nd June 2010 which was valid for a period of five years. On 20th January 2015, an application was made by the petitioner for renewal of the certificate of practice. As there was a delay in making the application for renewal, the petitioner made an application on 25th May 2015 for condonation of delay. The grievance in this petition is that though both the applications are pending for a long time, no order has been passed on both the applications. The learned counsel for the petitioner invited our attention to Rule 8B of Notaries Rules,1956 and urged that the Licensing Authority has a power to entertain the application for renewal of certificate

of practice after the expiry of period provided in Rule 8B of the said Rules provided a case is made out to that effect.

2 The learned counsel for the respondents on instructions states that if the applications are pending, the same shall be decided within a period of one month from today.

3 Hence, we dispose of the writ petition by passing the following order:

(I) If the application made by the petitioner for renewal of the certificate of practice as well as application dated 25th May 2014 for condonation of delay are still pending, we direct the Appropriate Authority of Union of India to decide both the applications as expeditiously as possible and in any event within a period of one month from the date on which an authenticated copy of this order is produced by the petitioner before the Competent Authority;

(II) All contentions on merits of the pending applications are kept open;

(III) Writ petition is disposed of on above terms.

(C.V.BHADANG,J.)

(A.S.OKA,J.)