

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10408 OF 2015

Shri. Rajendra Khanderao Nalawade and others .. Petitioners

Versus

Shrinath Shikshan Prasarak Mandal,

Wadapuri, Taluka, District Pune,

Through its Trustees & office bearers and others .. Respondents

Ms. Manjiri S. Parasnis, for the Petitioners.

Mr. R. S. Sawant i/by Mr. S. V. Pitre, for the Respondent Nos.1 to 9.

Mrs. M. S. Bane, "B" Panel Counsel for the Respondent No.12.

CORAM : R.M. SAVANT, J.

DATE : 11th APRIL 2016

PC.

1. The writ jurisdiction of this Court is invoked against the order dated 01.09.2015 passed by the Learned Joint Charity Commissioner, Pune Region, Pune, by which order, the application Exh.15 filed by the Petitioners herein seeking a direction to the Applicants in Revision Application No.9 of 2014 to produce the documents mentioned in the said application came to be rejected. The said Revision Application No.9 of 2014 has been filed against the order dated 19.10.2012 passed by the Learned Deputy Charity Commissioner allowing Change Report No.79 of 2012. The instant application Exh.15 has been rejected on the ground that

in the Revision the legality and validity of the order passed by the Learned Deputy Charity Commissioner is to be considered and whilst considering the said order if the Authority is convinced that the documents as sought by the Opponents i.e. the Petitioners herein are necessary to be considered, then the Authority can suo-moto call the said documents. The Learned Joint Charity Commissioner further observed that the instant application has been filed merely to prolong the proceedings. In my view, having regard to the reasons mentioned by the Learned Joint Charity Commissioner in the impugned order, no case for interference in the writ jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]