

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1830 OF 2017

Bhagwan s/o Amrutrao Gaikwad

Petitioner

Versus

Sangram s/o Jalaba Waghmare
and others

Respondents

Mr.S.S.Thombre, advocate for the petitioner.

=====

CORAM : S.B.SHUKRE, J.

DATE : 14th FEBRUARY, 2017

PER COURT:

1. Heard learned counsel for the petitioner.
2. Perused the application Exh. 41 and the impugned order dated 19th December, 2016.
3. By application vide Exh. 41, filed before the Court of Jt. Charity Commissioner, Latur, the petitioner sought direction that the original revision petitioner nos. 3, 5, 6, 7, 8 and 9 arrayed as respondents in the same order to this petition remain present in the Court and give their specimen signatures be taken for ascertaining as to whether or not they have really affixed their signatures to the revision petition and vakalatnama that was filed

before the Court of Jt. Charity Commissioner, Latur, by them. Thus, signatures made by these parties to the revision petition as well as vakalatnama were disputed by petitioner, who is the sole respondent in that revision petition.

4. Original revision petitioners who are respondents in this petition and whose signature were disputed by the present petitioner, filed their say before the learned Jt. Charity Commissioner and asserted that revision petition as well as vakalatnama bear their signatures and nobody else's. So the question that would arise for consideration is whether or not a stranger could dispute signature of a person who submits and asserts that it is his signature. The answer would be obviously in the negative for the reason that it is the author of the signature who knows it well whose signature it is. The signature is nothing but a special identity of that person and, therefore, the author of the signature is considered as a master of his own signature. The things could be different if the author of the signature contends that a particular document does not bear his signature and somebody else has signed the same and, in such circumstances, the question of making comparison between the undisputed and disputed signatures would arise. Here in this case, the situation is

reverse. The authors of the signatures are not disputing their own signatures and, if they do not dispute their own signatures, I do not think that anybody else could be permitted to dispute the same.

5. I think, these principles have been followed by the learned Joint Charity Commissioner when he rejected the application vide Exh. 41 and, rightly so. In this view of the matter, I see neither any illegality or perversity in the impugned order. Writ petition is summarily dismissed. No costs.

S.B.SHUKRE
JUDGE

dyb