

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION (ST) NO. 20072 OF 2018****Shaikh Mohd. Nadim****s/o. Gulam Abbas Alli & Anr.****..... Petitioners****VERSUS****The Assistant Charity Commissioner & Anr. Respondents**

Mr.P.D.Bachate, a/w. Mr.S.B.Kulkarni for the Petitioners.

Mr.Rajan S.Pawar, A.G.P. for the State – Respondent no.1.

Mr.Harish Khedkar, i/b. Vis Legis Law Practice for the Respondent no.2.

CORAM : R.D. DHANUKA, J.**DATE : 13th AUGUST, 2018****P.C.**

By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 5th July,2018 passed by the respondent no.1 rejecting the application of the petitioners to carry out the inspection/scrutiny of the entire minutes and attendance register of the trust as prayed by the petitioners.

2. The reporting trustee has placed reliance upon only the minutes and attendance of three minutes and the notices of three meetings before the Assistant Charity Commissioner. The reporting trustees have agreed to give inspection of the documents which were relied upon by the reporting trustee.

3. A perusal of the order dated 12th June, 2018 passed by the Assistant Charity Commissioner indicates that the petitioners wanted the inspection of the entire minutes and attendance register of the trust which was not relied upon by the reporting trustee. For this reason the Assistant Charity Commissioner has rejected the application filed by the petitioners for inspection of the entire minutes and attendance register.

4. I do not find any infirmity in the impugned order passed by the Assistant Charity Commissioner on 12th June, 2018. If the petitioners seek to rely upon the entire minutes and the attendance register, the petitioners can always issue notice upon the reporting trustee to produce those documents. If any notice to produce such documents is issued by the petitioners, it would be for the Assistant Charity Commissioner to decide such application on its own merits and in accordance with law.

5. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]