

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 556 OF 2020

Dr. Pradeep s/o Vinayak Naidu

Petitioner

Versus

Dhanraj s/o Hiralal Jain & others

Respondents

Mr. S.R. Barlinge, advocate for the petitioner.

CORAM : ROHIT B. DEO, J.

DATE : 12th February, 2020.

P.C. :

1 The petitioner is questioning the order of the Assistant Charity Commissioner in Inquiry 390/2003 whereby the change, which occurred due to the resignation of the petitioner as member of the Trust, is accepted.

2 The petitioner preferred Revision under Section 17-A of the Maharashtra Public Trusts Act, 1950, which is dismissed.

3 The Revision was preferred after 02 years 05 months and 20 days of the order of the Assistant Charity Commissioner. The Revisional Authority – the Joint Charity Commissioner noted

that there is no explanation in the memo of Revision for the gross delay. The Revisional Authority has also recorded findings on merit, which are adverse to the petitioner.

4 I am not inclined to entertain the petition. The revisional order dated 13.05.2015 is challenged after 04 years and 06 months. This enormous delay must be viewed in the backdrop that the revision was also preferred after 02 years, 05 months and 20 days. The petitioner has, in paragraph 8 of the petition, made a feeble attempt to explain the delay. The only averment is that due to ill-health, the petitioner could not immediately approach the High Court and that he is still under treatment. The petitioner states that with the help of his friends, he has decided to challenge the order impugned. I am not impressed by the justification for the delay, which tantamounts to laches.

5 Petition is dismissed.

ROHIT B. DEO
JUDGE

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