

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 WRIT PETITION NO.11189 OF 2022

MIRZA RAHEMATULLA BAIG PEER BAIG
VERSUS
SAYYED WASIM BARI

...
Advocate for Petitioner : Mr Ganesh A. Gadhe
Advocate for Respondent No. 1 : Mr P.V. Barde

CORAM : SANDEEP V. MARNE, J.

DATE : 10th NOVEMBER, 2022

PER COURT :

1. By this petition, the petitioner challenges the order dated 04.04.2022 passed by the Assistant Charity Commissioner-II, Nanded rejecting his application under section 22-A of the Bombay Public Trust Rules, 1951 for inspection of the documents. By the application filed on 18.01.2022, the petitioner sought following prayers :-

Hence it is prayed that, by allowing this application

1. Applicant may kindly be directed to submit the notice books & resolution books of Executive committee and General body meetings, membership applications, membership receipt books, Audit Reports etc. documents from 1986 to 1997, in the interest of justice. Or

2. Applicant may kindly be ordered for inspection and to supply attested copies of the notice books & resolution books of Executive committee and General body meetings, membership applications, membership receipt books, Audit Reports etc. documents from 1986 to 1997, in the interest of justice.

2. The application is rejected by the Assistant Charity Commissioner holding that the petitioner was seeking blanket direction for production of entire record of the Trust for the period from 1986 to 1997 without specifying the relevancy of any particular document. The Assistant Charity Commissioner has held that production of such bulky records, far from assisting adjudication of the inquiry, would only complicate and prolong the same.

3. To my mind, the prayers made in the application filed under section 22-A of the Rules of 1951 is in the realm of fishing inquiry as the petitioner sought virtually the entire records of the trust for unduly long period of time from 1986 to 1997. The Assistant Charity Commissioner has rightly rejected the application.

4. The writ petition is devoid of merits and the same is dismissed with no order as to costs.

[SANDEEP V. MARNE, J.]

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