

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.12016 OF 2019

Himmatrao S/o Tukaram Patil,
Age: 74 years, Occ: Agriculture,
R/o: Uchande, Tq. Muktainagar,
District: Jalgaon.

...PETITIONER

VERSUS

1. The State of Maharashtra,
2. The Assistant Charity Commissioner,
Jalgaon.
2. Rambhau s/o Shivram Patil,
Age: 64 yrs, Occ; Agril,
R/o; Uchande, Tq. Muktainagar,
District: Jalgaon.

...RESPONDENTS

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Advocate for Petitioner : Mr.Phlatke Rajendra P.
AGP for Respondent Nos. 1 & 2-State : Mr.S.B.Yawalkar
Advocate for Respondent No. 3 : Mr. M.S.Sonwane h/f
Mr.Patil Mangesh G.

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**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 20.08.2022.

ORAL JUDGMENT : (PER - MANGESH S. PATIL, J)

. Rule.

2. Rule made returnable forthwith and heard the learned
Advocates for the respective parties finally at the stage of admission.

3. The petitioner is merely aggrieved by the fact that inspite of pendency of the change report inquiries before the learned Assistant Charity Commissioner since the year 2010, the delay condonation applications are still pending. Though initially those were decided. The orders were challenged before the Joint Charity Commissioner in appeal. By the judgment and order dated 17.07.2015 the Joint Charity Commissioner had allowed those appeals and had directed the learned Assistant Charity Commissioner to decide the applications for condonation of delay. Inspite of lapse of more than 7 years the applications for condonation of delay have not been decided.

4. Needless to state that the change reports are awaiting decision since the year 2010. Even the applications which were directed to be decided expeditiously, by the Joint Charity Commissioner have not been decided for last 7 years.

5. We cannot fathom the situation. The learned Deputy Charity Commissioner to whom subsequently the matters have been transferred has shown lack of urgency.

6. The Writ Petition is allowed. The Deputy Charity Commissioner shall decide the applications for condonation of delay within 8 weeks from today.

7. Office to intimate the Deputy Charity Commissioner, Jalgaon immediately by all modes.
8. Needless to state that the parties shall not unnecessarily seek adjournments and shall co-operate the Deputy Charity Commissioner in deciding the applications.
9. The Deputy Charity Commissioner shall not tolerate the dilatory tactics of the parties.
10. Rule is made absolute in the above terms.

(SANDEEP V. MARNE)
JUDGE

(MANGESH S. PATIL)
JUDGE

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