

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

57 WRIT PETITION NO.2048 OF 2023

**MOHAMMAD YUSUF MOHAMMAD USMAN QURESHI
VERSUS
ABDUL SATTAR MAQBOOL QURESHI AND OTHERS**

...
Advocate for Petitioner : Mr. Shahaji B. Ghatol Patil

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CORAM : SHARMILA U. DESHMUKH, J.

DATE : 20-02-2023

PER COURT :

. The challenge in the petition is to the order dated 23.01.2023 passed below Exh.19 in Revision Application No.67 of 2022 rejecting the petitioner's application for sending the signatures of respondent nos.1, 5 and 7 appearing on the revision application for examination to an handwriting expert.

2. The revision application has been preferred under Section 70A of the Maharashtra Public Trusts Act against the order dated 25.08.2021 passed under Section 22 of the Maharashtra Public Trusts Act. The learned counsel for the petitioner submits that the signatures of respondent nos.1, 5 and 7 who are the petitioner nos.1, 5 and 7 before the Joint Charity Commissioner are forged and fabricated and as such has preferred the application for sending signatures to the hand writing expert.

3. The petition is totally misconceived. The revision application has been preferred by the respondent nos.1 to 7 herein and it is not the case of the respondent nos. 1, 5 and 7 that their signatures are forged and fabricated. It is not clear as to on what basis the petitioner has assumed that the signatures are forged. The learned counsel for the petitioner submits that the respondent nos.1, 5 and 7 are being pressurized. In such an event there is an alternate remedy available to the concerned parties. For that purpose, there is no reason to doubt that the signatures of respondent nos.1, 5 and 7 are forged. The application before the Joint Charity Commissioner seeking to send the signatures to handwriting expert is totally misconceived and the present petition arising from the rejection of the application is legally unsustainable.

4. Writ petition devoid of merits and stands dismissed.

(SHARMILA U. DESHMUKH, J.)

GGP