

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 6408 OF 2017

Vinay V. Kore & Ors.

.. Petitioners

Vs.

Joint Charity Commissioner,

Kolhapur Division

.. Respondent

...

Mr. Shrinivas S. Patwardhan for the petitioner.

Ms. S. H. Kankal AGP for the State.

...

CORAM : KAMAL KHATA, J.

DATE : 14TH FEBRUARY, 2023.

P.C. :

1. The present petition has been filed praying for quashing and setting aside the judgment and order dated 8th January 2016 passed by learned Joint Charity Commissioner, Kolhapur Region, Kolhapur in Application No.1 of 2014.

2. Heard both the counsels.

3. Learned counsel for the petitioner submitted that this petition was essentially to remove the stigma that is perceived by the petitioners on account of the fine imposed in the order dated 8th January 2016. He submitted that if this court could clarify the same he would not press for reliefs in this petition. The learned counsel for the respondent has no

objection to such a finding being recorded.

4. I have perused the order dated 8th January 2016. As evinced from the order, there is no conviction on the petitioner as perceived.

5. In my view, the fine imposed on the petitioner is not based on any conviction, is only to enforce the regulatory provision in the Act and therefore not a stigma.

6. In view of the clarification made above, the petitioner is not pressing for the reliefs as sought in the petition.

7. Learned counsel for the petitioner agrees to deposit the amount of Rs.10,000/- mentioned in the order within a period of four weeks from today, if already not deposited with the Joint Charity Commissioner's office.

8. The petition stands disposed with the aforesaid clarifications. No order as to costs.

[KAMAL KHATA, J.]