



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.5618 OF 2022

Shri Parasram S/o shankar Mandiarkar .Vs. The Assistant Charity Commissioner, Nagpur
and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms S.V. Dhawas, Advocate for petitioner.
Shri S.C. Joshi, A.G.P. for respondent No.1/State.
Shri R.M. Wasnik, Advocate for respondent No.6.

CORAM : ANIL S. KILOR, J.
DATED : 13/12/2023

1. Heard.
2. In a proceeding for registration of trust filed by respondent Nos.2 to 12, the notice was published in the newspaper calling objection within thirty days from the date of publication of such notice. The notice was published on 05.07.2018 in daily newspaper 'Lokshahi Warta' and thereafter, it was published in a conspicuous part of the temple and the notice board of the office on 06.10.2018 and 09.10.2018 respectively.
3. Admittedly, no objection was raised within thirty days from such publication of notice and on 29.11.2018, application was filed to permit the petitioner to raise objection.
4. Rules 7A(4) of the Maharashtra Public Trusts Rules, 1951 says that, no objection submitted under sub-rule (1) shall ordinarily be considered, unless it is submitted

within thirty days from the date of publication of the notice which is the last in point of time.

5. In the present matter, the notice last in point of time was dated 09.10.2018. The period of thirty days lapsed on 08.11.2018 and the application was filed on 29.11.2018 i.e. much after the period of thirty days was lapsed. In the application, no explanation has been offered or given as regards the delay caused beyond thirty days to raise objection.

6. The Assistant Charity Commissioner, Nagpur rejected the application filed by the petitioner on the ground that no explanation for delay has been given by the petitioner. It is further observed that instead of taking objection, the application for intervention was filed.

7. Thus, considering the above referred facts and the reasons recorded by the learned Assistant Charity Commissioner while rejecting the application, I am of the opinion that no illegality has been committed by the Assistant Charity Commissioner.

Accordingly, the writ petition is **dismissed**.

JUDGE