2024:BHC-AUG:10617

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5263 OF 2024

LAV BHAGWANRAO PANSAMBAL
VERSUS
SHAIKH SALIM SHAIKH AHMED

Mr. P. F. Patni, Advocates for the petitioner
Mr. S. V. Adwant, Advocates for the respondent

CORAM : R. M. JOSHI, J.
DATE : 11th JUNE, 2024

PER COURT :-

1. After hearing learned counsel for both sides extensively, when this Court has shown its disinclination to cause any interference in the impugned order, the learned counsel for the petitioner, on instructions, seeks leave to prefer appropriate application before the Assistant Charity Commissioner (ACC) showing relevancy of the documents sought by the petitioner.

2. Learned counsel for the respondent though has not opposed the said request for the reason that it would be always open for any party to prefer any legitimate application. He further drew attention of the Court to the orders passed by this Court expediting the proceedings before the ACC. According to him, after filing of the affidavit of evidence by the petitioner 26 dates of hearing have passed till date and evidence is not complete.

3. Needless to record that it would be always open for the parties to legitimate application and pursue the same before the Court/Authority. In the instant case, the application filed by the petitioner has been rejected on the ground that the relevancy of the documents has not been established and this Court finds no perversity therein. However, leave is granted to the petitioner to make appropriate application before ACC on the next of hearing. If no such application is filed on that day, the rights of the petitioner to file such application stands forfeited. The learned ACC to decide the said application in accordance with law.

4. Since the proceedings before the ACC is expedited by this Court, the ACC not to grant any adjournment to the parties. In case the Advocates of the parties are having any difficulty it would be the obligation of the parties to make alternative arrangement.

5. Learned counsel for the petitioner informed the Court that the next date of hearing is tomorrow i.e. on 12th June, 2024. He, therefore, requests giving time till 14th June, 2024. The ACC to permit filing of such application on 14th June, 2024.

6. In view of this, petition stands disposed off.

(R. M. JOSHI, J.)

ssp