



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

**CIVIL APPLICATION NO. 12317 OF 2019
IN FAST/25797/2019**

**THE CHARITY COMMISSIONER BOMBAY THR JOINT CHARITY
COMMISSIONER, AURANGABAD**

VERSUS

NAMDEV HARI DOKALE AND ORS

Ms.M.L. Sangit, AGP for the applicant.

Mr.Menezes Joslyn h/f. Mr. P.S. Paranjape, Advocate for respondent Nos.2 & 3.

CORAM : KISHORE C. SANT, J.

DATED : 05.07.2024

PC :-

01. Heard learned Advocates for the parties. This application is filed for condonation of delay of 2005 days caused in filing the appeal. The Government by way of filing the appeal seeks to challenge the order passed by the District Judge-3, Aurangabad in MARJI No.300 of 2013 dated 20.11.2013. It is stated that the proposal was moved to the Department of Law and Judiciary seeking advise about filing of the appeal. The Department took some time to give opinion. It is, thereafter, certain formalities were required to be completed, which again took some time. It is stated that the delay is thus unintentional and not deliberate. As per the averments, the question involved in this appeal goes to the root of the jurisdiction of the learned Assistant Charity Commissioner, Jalna.

02. The application is vehemently opposed by the learned Advocate for respondent Nos. 2 and 3.

03. Considering the averments and for the reasons stated in the application, the application is allowed. The delay of 2005 days caused in filing first appeal stands condoned. The Civil Application is allowed and is disposed off. The First Appeal be registered.

[KISHORE C. SANT, J.]