

Nikita

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

WRIT PETITION NO.2946 OF 2024

WITH

WRIT PETITION NO.2947 OF 2024

WITH

WRIT PETITION NO.2948 OF 2024

WITH

WRIT PETITION NO.2949 OF 2024

WITH

WRIT PETITION NO.2950 OF 2024

WITH

WRIT PETITION NO.2951 OF 2024

WITH

WRIT PETITION NO.2952 OF 2024

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Kirtikar Law Library Through
its Trustees Vijaysingh Thorat,
and Ors.

... Petitioners

V/s.

The State of Maharashtra and Anr.

... Respondents

Mr. R. A. Thorat, Sr. Adv. i/b Ms. Gauri Kishor Jadhav
for the Petitioner.

Mr. R. S. Pawar, AGP for the State-Respondent Nos. 1
and 2.

CORAM : AMIT BORKAR, J.

DATED : MARCH 5, 2024

P.C.:

- 1. Rule.** Rule is made returnable forthwith.
- 2.** All the petitions arise out of similar orders innvolving same question of law and fact. Hence, all petitions are being decided by

common judgment.

3. The petitions arises out of common order passed by the Deputy Charity Commissioner, Greater Mumbai on 15th September 2023 thereby condoning delay subject to payment of costs. However, while imposing cost, the Deputy Charity Commissioner has directed the trustees personally to pay the costs.

4. No reasons are assigned for saddling personal liability on the trustees. In absence of exceptional reasons and circumstances of causing loss to the trust due to their misfeasance or fraud or gross negligence such order could not have been passed by the Deputy Charity Commissioner.

5. Hence, to the extent impugned order directs trustees to pay cost personally, **rule** is made absolute in terms of prayer clause (b) in all petitions.

6. All the writ petitions stand disposed of accordingly. No costs.

(AMIT BORKAR, J.)