



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

944 REVIEW APPLICATION (CIVIL) NO. 177 OF 2025
IN WP/12518/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER LATUR AND OTHERS

...
945 REVIEW APPLICATION (CIVIL) NO. 178 OF 2025
IN WP/12516/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHAIRYT COMMISSIONER LATUR AND OTHERS

...
946 REVIEW APPLICATION (CIVIL) NO. 179 OF 2025
IN WP/12519/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER LATUR AND OTHERS

...
947 REVIEW APPLICATION (CIVIL) NO. 180 OF 2025
IN WP/12517/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER LATUR AND OTHERS

...
948 REVIEW APPLICATION (CIVIL) NO. 181 OF 2025
IN WP/12520/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER LATUR AND OTHERS

...
949 REVIEW APPLICATION (CIVIL) NO. 182 OF 2025
IN WP/12522/2023

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER LATUR AND OTHERS

...

**950 REVIEW APPLICATION (CIVIL) NO. 183 OF 2025
IN WP/12521/2023**

SUDHAKAR RAGHUNATH MUNDHE
VERSUS
THE JT CHARITY COMMISSIONER AND OTHERS

...

Mr. V. D. Salunke h/f Mr. S. P. Sonwane, Advocate for the Applicant
Mr. V. M. Chate, AGP for the Respondent/State
Mr. V. D. Sapkal, Senior Advocate a/w Ms. Priyanka Kale i/b Mr. S. R. Sapkal, Advocate for Respondent No.3

CORAM : R. M. JOSHI, J.

DATE : 16th OCTOBER, 2025

P.C. :-

1. By consent of both sides, heard finally.
2. These Applications are filed by the Advocate seeking review of order dated dated 09/12/2024 passed in Writ Petition No.12516/2023 and others claiming that in paragraph No.16 of the impugned order, there are observations made by this Court which amount to attributions against him. Applications amongst other grounds are filed on the ground that observation made therein are not in consonance with record and without giving opportunity of hearing to the Applicant/Advocate.
3. Learned Counsel for the Applicant has drawn attention of the Court to the findings recorded in paragraph No.16 which according to him make adverse remarks against the Advocate more particularly in

view of the subsequent finding recorded that the Petitioner has misguided the authority but also this Court. To support his submission he has drawn attention of the Court to the roznama before the Joint Charity Commissioner indicating that the Court was absent and in such circumstances, there was no question of taking any document on record. He further submits that the affidavits in question which are said to have been filed on that day before the authority were in fact affirmed at the instance of the Respondent at Omerga. It is his contention that before making such observation a notice ought to have been issued to the Applicant's Advocate. Predominantly, on these amongst other grounds review is sought of impugned judgment to the extent of observations made in paragraph 16 thereof.

4. At the outset scope of review of an order needs to be seen. A review is permissible only when error apparent on the face of record is shown. It does not permit re appreciation of the material on record and to challenge the order like before an Appellate Court. It must be shown that findings recorded by the Court are in ignorance of material evidence on record or patently inconsistent thereto in order to cause interference therein.

5. It needs to be recorded that Applicant was not party to the Petition but was not oblivious to the relevant facts involved in the proceeding before Joint Charity Commissioner (JCC) being representing

one of the parties therein. No doubt in case Applicant would have been castigated or any malafides were attributed him or any action would have been contemplated against him, question of giving hearing would arise, but not otherwise.

6. Moreover, this Court would have appreciated any concern of an Advocate by filing Review Application in case there were any sort of observations/attribution of malafides etc. made against him or any action was initiated. Herein this case, what is sought to be argued before this Court was neither argued at the time of hearing of Petition nor even any objection to that effect has been raised before the Joint Charity Commissioner. It is not in dispute the Applicant was representing Respondent before Joint Charity Commissioner. The roznama shows that after exhibiting of document/affidavit in question many other exhibits were marked. However, at no point of time any grievance was made by Applicant before JCC, with regard to filing of disputed document and exhibition thereof. Thus, this Court finds no justification to consider the same at this stage.

7. Learned Counsel for the Applicant also makes grievance with regard to there being no application for filing the affidavit and question arises as to who has exhibited the said document. This arguments could have never been addressed even to this Court the Petition at the time of its hearing because any objection in that regard must have been raised

before the Joint Charity Commissioner i.e. the Court before which the documents are filed and exhibited. Moreover, no such claim was ever made by Petitioner to whom present Applicant was representing before JCC.

8. What has been observed by this Court is nothing but recording of fact on the basis of material available on record is that except present Applicant no one else was present in the Court and hence the documents/affidavits must have been filed by him. This observation is only recording of findings on basis of material on record and by no stretch of imagination could attribute anything against him.

9. The order impugned is self explanatory and the findings recorded therein cannot be said to be contrary in ignorance of the material evidence on record. Similarly, to record such findings no notice was required to be issued to Advocate and hence principles of natural justice cannot be said to have been violated.

10. In view of this, no case is made out to cause interference in the order impugned even to the limited extent as sought by the Applicant. Consequently, Applications being meritless and stand dismissed.

(R. M. JOSHI, J.)

ssp