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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.544 OF 2016

Hiralal Babulal Ingle

PETITIONER

VERSUS

The Union of India Through Secretary

RESPONDENT

Mr. Kshitij H. Surve, Advocate for the Petitioner

Mr. A. G. Talhar, DSGI, for the Respondent

[CORAM : NITIN B. SURYAWANSHI, &
VAISHALI PATIL-JADHAV, J. J.]

DATE : 10th NOVEMBER, 2025

ORDER :

1. By this Petition, filed under Articles 226 and 227 of the Constitution of India, the Petitioner challenges order dated 16th November, 2015 issued by the Deputy Legal Advisor and Competent Authority, thereby denying Petitioner's request of renewal of certificate of practice as a Notary.

2. The Petitioner was appointed as Notary on 15th February, 2005. His license was renewed for a period of 5 years on 15th February, 2010. The license of the Petitioner was to expire on 15th February, 2015. The Petitioner applied for renewal of the license on 10th November, 2014, by annexing Demand Draft of Rs.500/- with the renewal application.

3. Certain compliance was sought from the Petitioner, including Demand Draft of Rs.1000/-. The Petitioner complied with the same. By the impugned order dated 16th November, 2015, the Petitioner was informed that the request of the Petitioner for renewal of certificate of practice as notary has not been acceded by the appropriate government, because the Petitioner has not applied for the renewal well before six months of expiry of his certificate as is required under the Notaries Rules, 1956 read with Notaries (Amendment) Rules, 2014. The Petitioner was directed to stop his practice as notary after the expiry date i.e. 15th February, 2015. Demand Draft of Rs.1000/-, given by the Petitioner was returned back. The Petitioner is aggrieved by this order

4. Heard learned Advocate for the Petitioner and learned DSGI for the Respondents.

5. By filing affidavit in reply, the Respondent has claimed that the Petitioner is guilty of suppressing material facts from this Court and, therefore, has not come with clean hands in the Court. The application filed by the Petitioner for renewal of license was delayed by 86 days. Therefore, the Petition is liable to be dismissed, as the Petitioner is not entitled to claim renewal

of license as of right.

6. It is revealed from the record that, a complaint against the Petitioner is received from the Registrar (Judicial) High Court of Bench, Bench at Aurangabad addressed to the Law Secretary, thereby request was made for holding inquiry and taking appropriate action against the Petitioner on the basis of order passed in MCA No. 84 of 2014. During the course of hearing of the said application, it was revealed that the Petitioner had notarized an affidavit of a party who was not present in the Court. These facts are suppressed by the Petitioner while filing the present Writ Petition. The Petitioner has, therefore, not come before this Court with clean hands. The Application for renewal filed by the Petitioner is not well before 6 months of expiry of his certificate. The Petitioner has no vested legal right to claim renewal of his notary license.

7. In view of the above facts, no fault can be found with the impugned order and the Respondent is justified in refusing to renew license of the Petitioner. The Writ Petition, being devoid of merit, is dismissed.

[VAISHALI PATIL-JADHAV]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE