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

WRIT PETITION NO.1649 OF 2025

Darius Cambatta	... Petitioner
V/s.	
The State of Maharashtra & Ors.	... Respondents

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Mr. Saket Mone with Mr. Ghanshyam Hule, Mr. Dharendra Sinha and Mr. Raghav Taneja i/by Dharendra Sinha & Ghanshyam Hule for the petitioner.

Ms. Savita A. Prabhune, AGP for respondent Nos.1 & 2 - State.

Mr. Mayur Khandeparkar with Mr. Ranjit Shetty, Mr. Rahul Dev and Ms. Risha Alva i/by Argus Partners for respondent No.3.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 6, 2025

PC.:

1. The instant writ petition challenges an interlocutory order of the Charity Commissioner. In that order, permission was granted to the petitioner to place on record certain documents in support of the change report by consent of respondent no.3. While the petitioner was allowed to submit two documents, his request to introduce the remaining documents was declined. In my considered view, once a part of the material has been admitted, the rationale for denying the submission of the balance is both tenuous and unsustainable.

2. The Revisional Authority, while rejecting the petitioner's revision, did not leave the matter in abeyance but instead prescribed a definitive timetable for the completion of evidence and the conclusion of arguments.

3. A careful perusal of the record reveals that the subordinate authorities had declined the additional documents on the ground that they were allegedly irrelevant to the matters in issue. However, given that the Charity Commissioner has already permitted the inclusion of certain documents by consent of respondent no.3, there exists no cogent justification for refusing the petitioner the opportunity to introduce the balance. It is an established principle that the question of relevancy may be adjudicated at the time of final arguments, thereby allowing the Court to consider all material in a comprehensive manner at the final hearing.

4. The respondents have expressed apprehension that the petitioner's effort to supplement the record might serve to delay the inquiry. This concern, however, has been effectively allayed by the Revisional Authority's order, which lays down a clear and strict time schedule for the completion of evidence and arguments. Accordingly, allowing the petitioner to produce the balance documents will not prejudice the respondents but will instead contribute to the orderly and expeditious determination of the issues.

5. In light of the foregoing considerations, and by way of confirming clauses 2 to 8 of the order passed by the Revisional

Authority, the petitioner's application (as detailed in Exhibit 46) to produce the balance documents before the Charity Commissioner is hereby allowed.

6. The next date for hearing is scheduled for Tuesday, 11th February 2025. The petitioner is accordingly directed to file his affidavit on or before the aforementioned date.

7. The Charity Commissioner is hereby directed to strictly comply with clauses 3 to 7 of the order passed by the Revisional Authority. It is imperative that no deviation occurs from the prescribed procedure.

8. With the above clarifications and directions, the writ petition is disposed of. There being no basis for awarding costs, none are granted.

9. It is expressly ordered that under no circumstances shall the Charity Commissioner deviate from the time schedule as laid down by the Revisional Authority.

(AMIT BORKAR, J.)