

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

WRIT PETITION NO. 3345 OF 2026

Dr. Vasantkumar Majethia ..Petitioner

Versus

The State of Maharashtra & ors. ...Respondents

Mr. Bhushan Bendre (through VC), for the Petitioner.

Ms. M S Srivastava, AGP for the Respondent – State.

Mr. S S Bedekar i/b Mr. Jatin Lalwani, for Respondent No. 6

CORAM : N. J. JAMADAR, J.

DATE : 20th APRIL 2026

Oral Order:

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 1st January, 2026 whereby an application preferred by the petitioner seeking extension of time to comply with the order (Exh. 4) dated 09th January, 2025 and 24th February, 2025 came to be rejected by imposing costs of Rs. 10,000/-.
3. By the first order dated 09th January, 2025 the learned Joint Charity Commissioner was persuaded to hold that the petitioner is a person having interest in the Trust and, therefore, the application for intervention was allowed, subject to payment of costs of Rs. 7,500/-.

4. The petitioner filed an application for waiver of costs. The said application was rejected by an order dated 24th February, 2025, with a direction to pay further costs of Rs. 1,000/-.

5. Subsequently, the petitioner again filed an application seeking extension of time to comply with the earlier orders to deposit the costs dated 09th January, 2025 and 24th February, 2025.

6. By an order dated 02nd April 2025, the said application came to be rejected.

7. The petitioner filed another application (Exh. 105) seeking permission to comply with the orders dated 09th January, 2025 and 24th February, 2025. The said application also came to be rejected, with a direction to pay further costs of Rs. 10,000/-, by the impugned order.

8. Mr. Bendre, the learned Counsel for the petitioner submitted that, the petitioner is willing to deposit the costs. The petitioner has a genuine interest in the Trust and, thus, deserves an opportunity of hearing.

9. Mr. Bedekar, the learned Counsel for Respondent No. 6, countered the submissions on behalf of petitioner. It was urged that, the petitioner had resorted to dilatory tactics to delay the disposal of the application. The conduct of the petitioner as

reflected in the impugned order, and the orders passed by the Charity Commissioner, leading to the impugned order, clearly demonstrates that, the petitioner was filing application after application to delay the disposal of the main application. Therefore, the impugned orders do not warrant interference in exercise of the supervisory jurisdiction.

10. The fact remains that, by the first order dated 09th January, 2025, the learned Joint Charity Commissioner had found that, the petitioner was a person having interest and was thus required to be heard in the main application. Indeed there appears delay and indolence on the part of the petitioner. However, once it was found that the petitioner is a person having interest in the Trust, then it is in the interest of justice that, the petitioner is heard in the matter.

11. Mr. Bedekar, the learned Counsel submits that, the Charity Commissioner has already conducted interviews for appointment of the persons as the trustees of the Trust and, therefore, the impleadment of the petitioner, at this stage, would further delay the disposal of the proceedings.

12. The aforesaid concern of the Respondent No. 6 can be taken care of by imposing appropriate conditions and putting the petitioner to terms.

13. Let the costs of Rs. 18,500/-, as ordered by the learned Charity Commissioner, be deposited by the petitioner before the learned Joint Charity Commissioner on or before 23rd April, 2026.

14. Upon deposit of the costs, the petitioner be impleaded as a party respondent in the application in terms of the order dated 09th January, 2025.

15. Upon impleadment, the petitioner shall file an affidavit in the main application on or before 30th April, 2026.

16. The learned Joint Charity Commissioner is requested to hear and decide the main application as expeditiously as possible and, preferably, within a period of three months, from the date of impleadment of the petitioner.

17. In the event, the costs are not deposited on or before 23rd April, 2026, the right of the petitioner to seek impleadment shall stand forfeited, and the order of recovery of the costs as arrears of land revenue, passed by the learned Charity Commissioner, shall become enforceable.

18. The Writ Petition stands disposed.

[N. J. JAMADAR, J.]