

Court No. - 40

Case :- WRIT - C No. - 33913 of 2023

Petitioner :- Javed Akhtar And Another

Respondent :- Uttar Pradesh Sunni Central Waqf Board And Another

Counsel for Petitioner :- Rizwan Ahmad(Qureshi)

Counsel for Respondent :- Punit Kumar Gupta

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Sri Punit Kumar Gupta, learned counsel for respondent no.1.

2. The present writ petition has been filed seeking inter alia following reliefs:-

"A. To issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 1.5.2023 and Office Memorandum dated 29.5.2023 (Annexure No.1) which has been passed without jurisdiction.

B. To issue order or direction in the nature of mandamus to the respondent no.1 to prevent the respondent no.2 from selling and damaging the property of the aforesaid Waqf."

3. At the very outset, Sri Gupta, learned counsel for respondent-U.P. Sunni Central Waqf Board submits that for the relief which has been sought by the petitioner in this petition, there is an efficacious remedy of filing an appeal before the Waqf Tribunal.

4. Considering the facts and circumstances, we are not inclined to entertain the present writ petition. It is, accordingly, dismissed on the ground of availability of alternative remedy of filing an appeal before the Waqf Tribunal.

Order Date :- 2.12.2023

Manish Himwan